ROOM 427

ACTS

APPROVED BY THE PEOPLE, NOVEMBER 4, 1930

(CHAPTERS 427 AND 428, ACTS OF 1930)

AND

ACTS AND RESOLVES

PASSED BY THE

General Court of Massachusetts

IN THE YEAR

1931

TOGETHER WITH

RETURNS OF VOTES UPON QUESTIONS SUBMITTED TO VOTERS
TABLES SHOWING CHANGES IN THE STATUTES, ETC.

PUBLISHED BY THE
SECRETARY OF THE COMMONWEALTH.



BOSTON
WRIGHT & POTTER PRINTING COMPANY
1931

CHAPTER 427.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Thirty.

AN ACT TO REPEAL SECTION TWO A OF CHAPTER ONE HUNDRED AND THIRTY-EIGHT OF THE GENERAL LAWS, INSERTED BY CHAPTER THREE HUNDRED AND SEVENTY OF THE ACTS OF NINETEEN HUNDRED AND TWENTY-THREE. *Chap.* 427

Be it enacted by the People, and by their authority:

G. L. 138, § 2A, repealed.

Chapter one hundred and thirty-eight of the General Laws is hereby amended by striking out section two A, inserted by chapter three hundred and seventy of the acts of nineteen hundred and twenty-three.

OFFICE OF THE SECRETARY, BOSTON, December 3, 1930.

Certificate of state secretary as to approval of the law by the people.

I hereby certify that the foregoing law entitled "An Act to repeal Section Two A of Chapter One Hundred and Thirty-eight of the General Laws, inserted by Chapter Three Hundred and Seventy of the Acts of Nineteen Hundred and Twenty-three" was approved by the People at the State Election held on November 4, 1930, pursuant to the provisions of Article XLVIII of the Amendments to the Constitution.

F. W. COOK,
Secretary of the Commonwealth.

CHAPTER 428.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Thirty.

*Chap.*428 AN ACT TO AMEND CHAPTER ONE HUNDRED AND THIRTY-ONE OF THE GENERAL LAWS.

Be it enacted by the People, and by their authority:

G. L. 131, new section after § 59.

Penalty for use of certain traps for capture of fur-bearing animals.

Exception.

Chapter one hundred and thirty-one of the General Laws is hereby amended by inserting after section fifty-nine the following new section: — *Section 59A.* Whoever uses, sets or maintains any trap or other device for the capture of fur-bearing animals which is likely to cause continued suffering to an animal caught therein, and which is not designed to kill such animal at once or to take it alive unhurt, shall be fined fifty dollars for each offense; but this section shall not apply to traps or other devices for protection against vermin if set or maintained not more than fifty yards from any building or cultivated plot of land to the use of which the presence of vermin may be detrimental.

OFFICE OF THE SECRETARY, BOSTON, December 3, 1930.

Certificate of state secretary as to approval of the law by the people.

I hereby certify that the foregoing law entitled "An Act to amend Chapter One Hundred and Thirty-one of the General Laws" was approved by the People at the State Election held on November 4, 1930, pursuant to the provisions of Article XLVIII of the Amendments to the Constitution.

F. W. COOK,
Secretary of the Commonwealth.

ACTS AND RESOLVES

OF

MASSACHUSETTS

1931

☞ The General Court, which was chosen November 4, 1930, assembled on Wednesday, the seventh day of January, 1931, for its first annual session.

The oaths of office were taken and subscribed by His Excellency Joseph B. Ely and His Honor William Sterling Youngman on Thursday, the eighth day of January, in the presence of the two Houses assembled in convention.

ACTS.

AN ACT MAKING APPROPRIATIONS FOR THE EMPLOYMENT OF ADDITIONAL PERSONS AS A MEASURE OF RELIEF DURING THE PRESENT UNEMPLOYMENT EMERGENCY. *Chap.* 1

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. To provide for the employment of additional labor and other personal services as a measure of relief during the present emergency caused by unemployment, the sums set forth in section two, for the several purposes and subject to the conditions therein specified, are hereby appropriated from the general fund or revenue of the commonwealth unless some other source of revenue is expressed, subject to the provisions of law regulating the disbursement of public funds and the approval thereof.

Appropriations for the employment of additional persons as a measure of relief during the present unemployment emergency.

SECTION 2.

Service of the State Quartermaster.

A	For repairs and improvements of armories of the first class as a part of the maintenance thereof, a sum not exceeding thirty thousand dollars . . .	$30,000 00	State Quartermaster.
B	For repairs and improvements of Camp Curtis Guild rifle range as a part of the maintenance thereof, a sum not exceeding two thousand dollars . .	2,000 00	

Service of the State Library.

C	For cleaning books in the state library, a sum not exceeding fifteen hundred dollars . . .	1,500 00	State Library.

Service of the Superintendent of Buildings.

D	For repairs and improvements in the state house, a sum not exceeding thirty-two hundred dollars .	3,200 00	Superintendent of Buildings.

Service of the Department of Conservation.

E	For thinning trees and otherwise improving forest lands owned by the commonwealth, a sum not exceeding one hundred and three thousand dollars	103,000 00	Department of Conservation.
F	For improvements at fish hatcheries and game farms, a sum not exceeding eighty-seven hundred dollars	8,700 00	

Service of the Department of Education.

G	For cleaning and improving an auxiliary source of water supply at the Bridgewater normal school, a sum not exceeding three thousand dollars . .	3,000 00	Department of Education. Bridgewater normal school.
H	For digging ditches on land of the Hyannis normal school, a sum not exceeding five hundred dollars	500 00	Hyannis normal school.

Massachusetts Agricultural College.

I For building a shed for lumber storage at the Massachusetts Agricultural College, a sum not exceeding twenty-five hundred dollars $2,500 00

J For cutting timber and other work in the forest of the Massachusetts Agricultural College, a sum not exceeding fifteen hundred dollars . . . 1,500 00

Service of the Division of Civil Service.

Division of Civil Service.

K For temporary clerk for the division of civil service, a sum not exceeding three thousand dollars . . 3,000 00

Services of Department of Mental Diseases.

Department of Mental Diseases.

Foxborough state hospital.

L For services of workmen necessary to complete the renovation of Ward C at the Foxborough state hospital, a sum not exceeding seven thousand dollars 7,000 00

Worcester state hospital.

M For services of workmen necessary to complete two officers' cottages at the Worcester state hospital, a sum not exceeding seven thousand dollars . . 7,000 00

Service of the Department of Correction.

Department of Correction.

N For repairs and improvements at the reformatory for women, a sum not exceeding thirty-five hundred dollars 3,500 00

Service of the Department of Public Welfare.

Department of Public Welfare.

For clerical work in the following divisions:

O Commissioner's office, a sum not exceeding eight hundred dollars 800 00

P Aid and relief, a sum not exceeding thirteen hundred dollars 1,300 00

Q Child guardianship, a sum not exceeding nineteen hundred dollars 1,900 00

Massachusetts Hospital School:

Massachusetts Hospital School.

R For clearing land at the Massachusetts hospital school, a sum not exceeding three thousand dollars 3,000 00

Service of the Department of Public Health.

Department of Public Health.

Lakeville state sanatorium.

S For the alteration of two buildings to provide for twelve additional beds at the Lakeville state sanatorium, a sum not exceeding seventeen thousand dollars 17,000 00

T For certain repairs and improvements at the Lakeville state sanatorium, a sum not exceeding fifty-seven hundred dollars 5,700 00

North Reading state sanatorium.

U For certain repairs and improvements at the North Reading state sanatorium, a sum not exceeding eighty-six hundred dollars 8,600 00

Westfield state sanatorium.

V For clearing land at the Westfield state sanatorium, a sum not exceeding six thousand dollars . . 6,000 00

Service of the Metropolitan District Commission.

The following items are to be assessed upon the several districts in accordance with the methods fixed by law, and to be expended under the direction and with the approval of the metropolitan district commission:

Metropolitan District Commission.

W For cutting brush, clearing and other work in connection with the maintenance of park reservations, a sum not exceeding one hundred thousand dollars 100,000 00

X	For cutting trees and other work upon land held for the protection of the water supply of the metropolitan water system, a sum not exceeding ten thousand dollars	$10,000 00
		$330,700 00
General fund		$220,700 00
Metropolitan District funds		110,000 00
		$330,700 00

SECTION 3. Persons employed hereunder shall not be subject to civil service laws or the rules and regulations made thereunder. Not subject to civil service laws, etc.

SECTION 4. This act shall take effect upon its passage.

Approved January 14, 1931.

AN ACT RELATIVE TO THE RECONSTRUCTION OF A PART OF CENTRE STREET IN THE CITY OF BOSTON AND TO ITS CONTROL AFTER RECONSTRUCTION. *Chap.* 2

Be it enacted, etc., as follows:

SECTION 1. Chapter two hundred and forty-eight of the acts of nineteen hundred and twenty-nine is hereby amended by striking out section one and inserting in place thereof the following: — *Section 1.* The board of street commissioners of the city of Boston may, with the approval of the mayor of said city, lay out, widen, extend, relocate and reconstruct Centre street in said city from a point at or near May street to a point at or near South street. 1929, 248, § 1, amended. Reconstruction of part of Centre street in city of Boston.

SECTION 2. All sums of money which, prior to the passage of this act, have been voted to be provided from taxes or other sources of revenue and the proceeds of any securities which, prior to such passage, have been authorized under the provisions of section four of said chapter two hundred and forty-eight, may be expended for the work authorized by section one of said chapter, as amended by this act, and the provisions of said section four applicable to said Centre street shall be available for the purposes of said section one, as so amended. Expenditure.

SECTION 3. Chapter two hundred and forty-eight of the acts of nineteen hundred and twenty-nine having been submitted to and accepted by the city council of the city of Boston, in accordance with the provisions of section five thereof, this act in amendment of said chapter two hundred and forty-eight shall take effect upon its passage and without being further submitted to the city council of said city. Effective upon passage, etc.

Approved January 27, 1931.

Chap. 3 AN ACT AUTHORIZING THE CITY OF TAUNTON TO BORROW MONEY FOR THE PAYMENT OF ITS SHARE OF THE COST OF IMPROVING A CERTAIN PART OF THE TAUNTON RIVER.

Be it enacted, etc., as follows:

City of Taunton may borrow money for the payment of its share of the cost of improving a certain part of the Taunton river.

SECTION 1. For the purpose of enabling the city of Taunton to contribute its share of the cost of the improvement authorized by chapter four hundred and five of the acts of nineteen hundred and thirty, said city may borrow, from time to time within a period of five years from the passage of this act, such sums as may be necessary, not exceeding, in the aggregate, thirty thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Taunton River Improvement Loan, Act of 1931. Each authorized issue shall constitute a separate loan, and such loans shall be payable in not more than ten years from their dates, but no issue shall be authorized under this act unless a sum equal to an amount not less than ten per cent of such authorized issue is voted for the same purpose to be raised by the tax levy of the year when authorized. Indebtedness incurred under this act shall be outside the statutory limit but shall, except as provided herein, be subject to chapter forty-four of the General Laws, exclusive of the limitation contained in the first paragraph of section seven thereof as revised by chapter three hundred and twenty-four of the acts of nineteen hundred and twenty-eight.

Taunton River Improvement Loan, Act of 1931.

Submission to city council, etc.

SECTION 2. This act shall take effect upon its acceptance during the current year by vote of the city council of said city, subject to the provisions of its charter, but not otherwise. *Approved January 27, 1931.*

Chap. 4 AN ACT AUTHORIZING THE TOWN OF WATERTOWN TO APPROPRIATE MONEY FOR THE PURPOSE OF PAYING A PORTION OF THE COST OF ERECTING A MEMORIAL TO THE FOUNDERS OF THE TOWN.

Be it enacted, etc., as follows:

Town of Watertown may appropriate money for purpose of paying a portion of cost of erecting a memorial to founders of town.

SECTION 1. The town of Watertown may appropriate money in nineteen hundred and thirty-one and in nineteen hundred and thirty-two for the purpose of paying a portion of the cost of erecting a memorial to the founders of the town.

SECTION 2. This act shall take effect upon its passage. *Approved January 29, 1931.*

Chap. 5 AN ACT AUTHORIZING THE TOWN OF PLYMOUTH TO APPROPRIATE MONEY TO PROVIDE FACILITIES FOR HOLDING IN SAID TOWN THE STATE CONVENTION OF THE AMERICAN LEGION.

Be it enacted, etc., as follows:

Town of Plymouth may appropriate

SECTION 1. The town of Plymouth may appropriate a sum, not exceeding five thousand dollars, for the purpose of

providing proper facilities for public entertainment at the time of the state convention of The American Legion, to be held in said town during the current year, and of paying expenses incidental to such entertainment. Money so appropriated shall be expended under the direction of the selectmen of said town.

money to provide facilities for holding in said town the state convention of The American Legion.

Section 2. This act shall take effect upon its passage.

Approved January 29, 1931.

An Act authorizing the town of Watertown to erect and maintain an administration building on Saltonstall park in said town. *Chap.* 6

Be it enacted, etc., as follows:

Section 1. The town of Watertown is hereby authorized to erect and maintain on Saltonstall park in said town an administration building and to utilize for uses incidental thereto so much of the remainder of said park as may be necessary.

Town of Watertown may erect, etc., an administration building on Saltonstall park, etc.

Section 2. This act shall take effect upon its passage.

Approved February 2, 1931.

An Act relative to the taking of striped bass from the waters of Parker river and its tributaries within the towns of Newbury, Rowley and Georgetown, by means of bowed nets. *Chap.* 7

Be it enacted, etc., as follows:

Section 1. Between the effective date of this act and April first next succeeding, the selectmen of the towns of Newbury, Rowley and Georgetown may grant permits authorizing the taking of striped bass from the waters of Parker river and its tributaries within the limits of their respective towns, by means of bowed nets, under such regulations as they may deem advisable; provided, that the mesh of such a net shall not be less than three and one half inches. Any person taking striped bass during said period from said waters by means of bowed nets shall not be subject to the provisions of section forty-nine of chapter one hundred and thirty-one of the General Laws if such bass are taken as authorized hereunder, otherwise he shall be subject to such provisions.

Taking of striped bass from waters of Parker river, etc., within certain towns, by means of bowed nets, authorized during certain period.

Proviso.

Section 2. This act shall take effect upon its passage.

Approved February 4, 1931.

An Act placing the office of chief of police of the town of Natick under the civil service laws. *Chap.* 8

Be it enacted, etc., as follows:

Section 1. The office of chief of police of the town of Natick shall, upon the effective date of this act, become subject to the civil service laws and rules and regulations relat-

Office of chief of police of town of Natick subject to civil service laws, etc.

ing to the appointment and removal of police officers in towns, and the tenure of office of any incumbent thereof shall be unlimited, except that he may be removed in accordance with such laws and rules and regulations; but the person holding said office on said effective date may continue to serve as such without taking a civil service examination.

Submission to voters, etc.

SECTION 2. This act shall be submitted to the voters of said town at the annual town meeting in the current year in the form of the following question which shall be placed upon the official ballot to be used for the election of town officers at said meeting: — "Shall an act passed by the general court in the year nineteen hundred and thirty-one, entitled 'An Act placing the office of chief of police of the town of Natick under the civil service laws', be accepted?" If a majority of the votes in answer to said question are in the affirmative, then this act shall thereupon take effect, but not otherwise, except that for the purpose of such submission it shall take effect upon its passage.

Approved February 4, 1931.

Chap. 9 AN ACT AUTHORIZING MIDDLESEX COUNTY TO PROVIDE ADEQUATE ACCOMMODATIONS FOR THE DISTRICT COURT OF NEWTON ON LAND TO BE CONVEYED BY THE CITY OF NEWTON IN EXCHANGE FOR LAND ALREADY ACQUIRED BY SAID COUNTY FOR SUCH PURPOSE, AND AUTHORIZING SUCH EXCHANGE.

Be it enacted, etc., as follows:

Middlesex county commissioners may convey to city of Newton parcel of land acquired as site for court house in exchange for certain parcel, etc.

SECTION 1. The county commissioners of Middlesex county, on behalf of said county, are hereby authorized to convey to the city of Newton a parcel of land acquired by said county under authority of section one of chapter one hundred and twenty-six of the acts of nineteen hundred and thirty as a site for a new court house for the district court of Newton, in exchange for a suitable parcel of land situated on Washington street in said city, and said city is hereby authorized to make said exchange.

May erect building for purpose of providing accommodations for district court of Newton, etc.

SECTION 2. When said parcel of land on Washington street has been acquired by said county as aforesaid, the said county commissioners may erect thereon a suitable building for the purpose of providing court house accommodations and facilities for said district court and may equip and furnish the same.

Certain provisions available.

SECTION 3. The provisions of sections two and three of said chapter one hundred and twenty-six, in so far as they shall not have been availed of to meet obligations entered into under said chapter prior to the effective date of this act, shall be available for the purposes set forth in section two of this act to the same extent as though such building were to be erected on the parcel of land already acquired by said county under section one of said chapter one hun-

dred and twenty-six, but nothing herein shall affect the validity of bonds or notes issued or to be issued to meet obligations entered into under said chapter prior to the effective date of this act. Validity of certain bonds or notes not affected.

Section 4. This act shall take effect upon its passage.

Approved February 6, 1931.

An Act authorizing the city of North Adams to pay a certain claim legally unenforceable by reason of failure to comply with certain provisions of its charter. *Chap.* 10

Be it enacted, etc., as follows:

Section 1. The city of North Adams is hereby authorized to expend a sum of money, not exceeding five thousand nine hundred and seventy dollars, in the payment and discharge of a certain claim of the Seagrave Corporation for overhauling and repairing a pumping engine of the fire department of said city, said claim being legally unenforceable against said city by reason of its failure to comply with the provisions of section fifty-four or fifty-five of its charter, to wit: chapter one hundred and forty-eight of the acts of eighteen hundred and ninety-five. City of North Adams may pay a certain claim legally unenforceable by reason of failure to comply with certain provisions of its charter.

Section 2. This act shall take effect upon its acceptance during the current year by vote of the city council of said city, subject to the provisions of its charter, but not otherwise. Submission to city council, etc.

Approved February 6, 1931.

An Act relative to the disposition of charters of liquidated trust companies. *Chap.* 11

Whereas, The deferred operation of this act would tend to defeat its purpose, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience. Emergency preamble.

Be it enacted, etc., as follows:

Section forty-four of chapter one hundred and seventy-two of the General Laws, as amended by chapter two hundred and ninety-two of the acts of nineteen hundred and twenty-two, is hereby further amended by inserting after the word "company" in the eleventh line the words: —, or the affairs of which shall, on or after said date, have been liquidated, — so as to read as follows: — *Section 44.* No trust company shall be merged in or consolidated with another trust company except with the written approval of the commissioner and under the provisions of sections forty-two and forty-six of chapter one hundred and fifty-six, which are hereby made applicable to the sale or exchange of all the property and assets, including the good will and corporate franchise, of a trust company. The charter of a trust company the business of which shall, on or after July first, nineteen hundred and twenty-two, be consolidated or G. L. 172, § 44, etc., amended. Consolidation of trust companies regulated. Charter to be void, except, etc.

merged with, or absorbed by, another bank or trust company, or the affairs of which shall, on or after said date, have been liquidated, shall be void except for the purpose of discharging existing obligations and liabilities.

Approved February 7, 1931.

Chap. 12 AN ACT RELATIVE TO THE PAYMENT OF FINAL DIVIDENDS IN THE LIQUIDATION OF TRUST COMPANIES.

Emergency preamble.

Whereas, The deferred operation of this act would tend to defeat its purpose, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

G. L. 167, § 31, etc., amended.

Section thirty-one of chapter one hundred and sixty-seven of the General Laws, as amended by chapter four hundred and seventy-one of the acts of nineteen hundred and twenty-one, is hereby further amended by inserting after the word "creditors" in the ninth line the words: —, or earlier if the supreme judicial court so orders, — so as to read as follows: — *Section 31.* At any time after the expiration of the date fixed for the presentation of claims, the supreme judicial court, on application of the commissioner, depositor, creditor, stockholder or any party in interest, may authorize or direct the commissioner to declare out of the funds remaining in his hands, after the payment of expenses, one or more dividends, and, after the expiration of one year from the first publication of notice to creditors, or earlier if the supreme judicial court so orders, the commissioner may declare a final dividend, such dividends to be paid to such persons, in such amounts, and upon such notice as may be directed by the supreme judicial court for the county where the principal office of such bank was located, or as may be directed by a justice of said court. Objections to any claim not rejected by the commissioner may be made by any person interested by filing a copy of the objections with the commissioner, who shall present the same to the supreme judicial court at the time of the next application for leave to declare a dividend. The court to which such application is made shall thereupon dispose of said objections, or may refer them to a master, and should the objections to any claim be sustained by the court or by the master no dividend thereon shall be paid by the commissioner until the claimant shall have established his claim by the judgment of a court of competent jurisdiction. The court may make proper provision for unproved or unclaimed deposits.

Banks in liquidation.

Dividends, objections to claims, etc.

Approved February 7, 1931.

An Act relative to the performance of certain duties of the commissioner of mental diseases during his absence or disability. *Chap.* 13

Emergency preamble.

Whereas, The deferred operation of this act would tend to defeat its purpose, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

G. L. 19, § 4, amended.

Section four of chapter nineteen of the General Laws is hereby amended by inserting after the word "prescribe" in the sixth and seventh lines the following: — , except that the commissioner, with like approval, may designate another person or persons in the department to perform, during such absence or disability, such specific duties as the commissioner may prescribe, and may revoke such designation, — so as to read as follows: — *Section 4.* The commissioner shall be the executive and administrative head of the department and may organize therein such divisions as he may determine. He may, with the approval of the governor and council, appoint and fix the compensation of an assistant commissioner, who shall discharge the duties of the commissioner during his absence or disability and perform such other duties as the commissioner may prescribe, except that the commissioner, with like approval, may designate another person or persons in the department to perform, during such absence or disability, such specific duties as the commissioner may prescribe, and may revoke such designation. The commissioner shall appoint and may remove such agents and subordinate officers as the department may deem necessary, and shall fix their compensation. Physicians, pathologists and psychiatrists shall be exempt from chapter thirty-one. *Approved February 7, 1931.*

Commissioner of mental diseases, duties.

Assistant commissioner, etc.

Performance of certain duties of commissioner during his absence, etc.

Agents, etc.

Physicians, etc., exempt from G. L. 31.

An Act making further appropriations for the employment of additional persons as a measure of relief during the present unemployment emergency. *Chap.* 14

Be it enacted, etc., as follows:

Further appropriations for the employment of additional persons as a measure of relief during the present unemployment emergency.

Section 1. To provide further for the employment of additional labor and other personal services as a measure of relief during the present emergency caused by unemployment, the sums set forth in section two for the several purposes and subject to the conditions therein specified, are hereby appropriated from the general fund or revenue of the commonwealth unless some other source of revenue is expressed, subject to the provisions of law regulating the disbursement of public funds and the approval thereof.

SECTION 2.

Service of the Department of Labor and Industries.

	Item		
Department of Labor and Industries.	L–1	For personal services for the statistical service, a sum not exceeding ten thousand five hundred and ninety dollars	$10,590 00
Statistical service.	L–2	For traveling and other expenses of the statistical service, a sum not exceeding seventy-one hundred and fifty dollars	7,150 00

Service of the Department of Mental Diseases.

Department of Mental Diseases.	M–1	For services of workmen necessary to complete an officer's cottage at the Danvers state hospital, a sum not exceeding three thousand dollars, the same to be in addition to any amount heretofore	
Danvers state hospital.		appropriated for the purpose	3,000 00
Foxborough state hospital.	M–2	For services of workmen necessary to replace stairs and install grilles at the Foxborough state hospital, a sum not exceeding forty-seven hundred dollars	4,700 00
Taunton state hospital.	M–3	For services of workmen necessary to complete an officer's cottage at the Taunton state hospital, a sum not exceeding three thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose	3,000 00
Worcester state hospital.	M–4	For the purchase of equipment for the dairy and cow barn at the Worcester state hospital, and for services of workmen necessary to install the same, a sum not exceeding twenty thousand dollars .	20,000 00

Service of the Metropolitan District Commission.

The following items are to be assessed upon the several districts in accordance with the methods fixed by law, and to be expended under the direction and with the approval of the Metropolitan District Commission:

Metropolitan District Commission.	X	For cutting brush, clearing and other work in connection with the maintenance of park reservations, a sum not exceeding fifty thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose . . .	50,000 00
	X–1	For services of certain workmen for maintenance and operation of a system of sewage disposal for the north metropolitan sewerage district, a sum not exceeding two thousand dollars . . .	2,000 00
	X–2	For services of certain workmen for maintenance and operation of a system of sewage disposal for the south metropolitan sewerage district, a sum not exceeding one thousand dollars . . .	1,000 00
	Y	For cutting trees and other work upon land held for the protection of the water supply of the Metropolitan Water system, a sum not exceeding five thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose	5,000 00
			$106,440 00

General fund	$48,440 00
Metropolitan District funds .	58,000 00
	$106,440 00

Section 3. Persons employed hereunder shall not be subject to civil service laws or the rules and regulations made thereunder. Not subject to civil service laws, etc.

Section 4. This act shall take effect upon its passage.

Approved February 10, 1931.

An Act relative to the acquisition by eminent domain or otherwise by the city of Boston of land for parks and other open spaces. *Chap.* 15

Be it enacted, etc., as follows:

Section 1. Section three of chapter two hundred and ninety-three of the acts of eighteen hundred and ninety-two is hereby amended by striking out, in the fifth, sixth and seventh lines, the words "of a total assessed value not exceeding two thirds of the amount so authorized", — so as to read as follows: — *Section 3.* Whenever said city shall have authorized the city treasurer to issue bonds or certificates of indebtedness, as provided in the preceding sections, the street commissioners of said city, with the approval of the mayor, may take in fee, by purchase or otherwise, such lands as shall be determined by said city, and may agree with the persons owning such lands as to the damages to be paid by the city therefor, and said city, by such agency as it may determine, shall expend the balance of the proceeds of the bonds or certificates of indebtedness remaining after such lands have been paid for, in constructing or preparing such lands for use. 1892, 293, § 3, amended. Acquisition by eminent domain or otherwise by the city of Boston of land for parks and other open spaces.

Section 2. This act shall take effect upon its passage.

Approved February 11, 1931.

An Act relative to certain fees to be paid under the zoning law of the city of Boston. *Chap.* 16

Be it enacted, etc., as follows:

Section 1. Section nineteen of chapter four hundred and eighty-eight of the acts of nineteen hundred and twenty-four, as amended by section eleven of chapter two hundred and nineteen of the acts of nineteen hundred and twenty-five and by section one of chapter three hundred and fifty of the acts of nineteen hundred and twenty-six, is hereby further amended by striking out, in the fifth line of the second paragraph, the word "ten" and inserting in place thereof the word: — fifteen, — so that said paragraph will read as follows: — 1924, 488, § 19, etc., amended.

Any applicant for a permit under this act whose application has been refused may appeal therefrom within ninety days. Any applicant to the building commissioner for a permit who appeals to the said board shall pay to him a fee of fifteen dollars before such permit shall be considered by the board. Such fees shall be deposited by the building commissioner with the city collector at least once a week. Board of appeal under Boston zoning law. Appeals by applicants for permits. Fee.

1924, 488, § 20, etc., amended.

SECTION 2. Section twenty of said chapter four hundred and eighty-eight, as amended by section twelve of said chapter two hundred and nineteen, by section two of said chapter three hundred and fifty and by section six of chapter two hundred and twenty of the acts of nineteen hundred and twenty-seven, is hereby further amended by striking out, in the twenty-eighth line of the second paragraph, the word "ten" and inserting in place thereof the word: — twenty-five, — so that said paragraph will read as follows: —

Board of zoning adjustment.

May change boundaries of districts, etc.

Either upon petition or otherwise, the board may, subject to the following conditions, change the boundaries of districts by changing the zoning map, on file at the state secretary's office, to meet altered needs of a locality, to avoid undue concentration of population, to provide adequate light and air, to lessen congestion in streets, to secure safety from fire, panic and other dangers, to facilitate the adequate provision of transportation, water, sewerage and other public requirements and to promote the health, safety, convenience and welfare of the inhabitants of the city of Boston.

Requirements for such changes.

Such changes shall be made with reasonable consideration, among other things, of the character of the district and its peculiar suitability for particular uses, and with a view to conserving the value of buildings and encouraging the most appropriate use of land.

Public hearing, notice, etc.

No such change shall be made except by the decision of not less than four fifths of the members of the board, excepting only any member or members not qualified to act, rendered after a public hearing thereon, of which notice shall be mailed to the petitioner, if any, to the building commissioner, the chairman of the assessing department, the chairman of the street laying-out department, the commissioner of public works, the fire commissioner and the health commissioner of the city of Boston, and to the owners of all property deemed by the board to be affected thereby as they appear in the most recent local tax list and also advertised in a daily newspaper published in the city of Boston.

Fee.

Any petition for changing the zoning map shall be accompanied by a fee of twenty-five dollars before being considered by the board. Such fees shall be deposited by the board with the city collector within one month after receipt thereof.

Members personally interested not to act.

No member shall act in any case in which he is personally interested either directly or indirectly.

Majority of board to constitute quorum for public hearings and for all acts of board, except, etc.

A majority of the board shall constitute a quorum for all public hearings and for all acts of the board, except that decisions changing the boundaries of districts on the zoning map or confirming a decision of the board of appeal shall be deemed to comply with this section only if the written record of such decision is signed, in case of any change of boundaries as aforesaid, by not less than four fifths, or, in case of any confirmation of a decision of the board of appeal, by not less than two thirds, of the members of the board qualified to act.

Adjournment by less than majority.

If less than a majority of the board is present at any public hearing or at any executive session, the members actually present may adjourn

the same by proclamation to such time and place as they deem advisable, and further notice thereof shall not be necessary. The board may adopt rules, not inconsistent with the provisions of this act, governing notice and procedure. May adopt certain rules.

Section 3. This act shall take effect upon its passage.

Approved February 11, 1931.

An Act authorizing the town of Uxbridge to borrow money for school purposes. *Chap.* 17

Be it enacted, etc., as follows:

Section 1. For the purpose of acquiring land for a school building and/or constructing and originally equipping and furnishing such a building, the town of Uxbridge may borrow, from time to time within a period of five years from the passage of this act, such sums as may be necessary, not exceeding, in the aggregate, fifty thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Uxbridge School Loan, Act of 1931. Each authorized issue shall constitute a separate loan, and such loans shall be paid in not more than fifteen years from their dates, but no issue shall be authorized under this act unless a sum equal to an amount not less than ten per cent of such authorized issue is voted for the same purpose to be raised by the tax levy of the year when authorized. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall, except as herein provided, be subject to chapter forty-four of the General Laws, exclusive of the limitation contained in section seven thereof, as revised by chapter three hundred and twenty-four of the acts of nineteen hundred and twenty-eight. Town of Uxbridge may borrow money for school purposes. Uxbridge School Loan, Act of 1931.

Section 2. This act shall take effect upon its passage.

Approved February 11, 1931.

An Act authorizing the county of Bristol to borrow money for the purpose of constructing, equipping and furnishing a building at the Bristol county tuberculosis hospital. *Chap.* 18

Be it enacted, etc., as follows:

Section 1. The county commissioners of the county of Bristol, acting as trustees of the Bristol county tuberculosis hospital, may expend a sum not exceeding forty thousand dollars for the purpose of constructing and originally equipping and furnishing a building at said hospital, in accordance with plans approved by the state department of public health. Bristol county commissioners may expend a certain sum for construction, etc., of building at Bristol county tuberculosis hospital.

Section 2. For the purpose aforesaid, the said county commissioners may borrow money on the credit of the county and issue notes of the county therefor to an amount not exceeding forty thousand dollars. Said notes shall be May borrow money, issue notes, etc.

payable by such annual payments beginning not more than one year from the date thereof as will extinguish each loan within five years from its date. The amount of such annual payment in any year shall not be less than the amount of the principal of the loan payable in any subsequent year. The notes shall be signed by the county treasurer and countersigned by a majority of the county commissioners. Each authorized issue shall constitute a separate loan. All sums necessary to meet interest payments on said notes and payments on account of principal as the same mature shall be assessed upon the cities and towns of said county constituting the hospital district, in accordance with section eighty-five of chapter one hundred and eleven of the General Laws.

Submission to Bristol county commissioners, etc.

SECTION 3. This act shall take effect upon its acceptance during the current year by the county commissioners of said county, but not otherwise. *Approved February 12, 1931.*

Chap. 19 AN ACT AUTHORIZING THE SELECTMEN OF THE TOWN OF BEDFORD TO ACT AS A BOARD OF PUBLIC WORKS EXERCISING THE POWERS OF CERTAIN OTHER BOARDS AND TOWN OFFICERS.

Be it enacted, etc., as follows:

Board of selectmen of town of Bedford to act as a board of public works exercising the powers of certain other boards and town officers, etc.

SECTION 1. The board of selectmen of the town of Bedford as constituted from time to time, from and after the annual meeting at which this act becomes fully effective, as provided in section four, shall also be a board of public works, and in said capacity shall have and exercise, under the designation of selectmen, all the powers and duties now or from time to time vested by general law in the following boards and officers in said town, to wit: — the road commissioners, board of public welfare, water commissioners, park commissioners, board of health, board of survey and tree warden; and such boards and officers shall thereupon be abolished. No contracts or liabilities then in force shall be affected by such abolition, but the selectmen, acting as said board of public works, shall in all respects be the lawful successor of the boards and officers so abolished.

Superintendent of public works, appointment, duties, etc.

SECTION 2. The selectmen shall appoint, and fix the compensation of, a superintendent of public works, who shall administer, under the supervision and direction of the selectmen, such departments of the town under their control as they may designate. He shall be responsible for the efficient administration of all such departments and shall hold office subject to the will of the selectmen. He shall be specially fitted by education, training and experience to perform the duties of said office and may or may not be a resident of the town. During his tenure he shall hold no other elective or appointive office, nor shall he be engaged in any other business or occupation. He shall give bond to the town for the faithful performance of his duties with a surety company authorized to transact business in the com-

Bond.

monwealth, as surety, in such sum and upon such conditions as the selectmen may require, and shall, subject to the approval of the selectmen, appoint such assistants, agents and employees as the performance of the duties of such departments may require and may with like approval remove them. He shall keep full and complete records of the doings of his office and render to the selectmen as often as they may require a full report of all operations under his control during the period reported upon; and annually, or from time to time as required by the selectmen, he shall make a synopsis of all such reports for publication. He shall keep the selectmen fully advised as to the needs of the town within the scope of his duties, and shall furnish to the selectmen, on or before January fifteenth in each year, a carefully prepared and detailed estimate in writing of the appropriations required during the ensuing fiscal year for the proper conduct of all departments of the town under his supervision.

Appointment of assistants, etc.

Report of doings, etc.

To make detailed estimate of appropriations required, etc.

Section 3. In accordance with the provisions of section twenty-three of chapter forty-one of the General Laws, the said town, at any time after three years following the annual town meeting at which this act becomes fully effective, may rescind, in whole or in part, all action taken under its provisions.

Town may rescind all action taken under provisions of this act, etc.

Section 4. For the purpose of its submission to the voters of said town at an annual or special town meeting, this act shall take effect upon its passage; but it shall not take further effect unless accepted by a majority of the voters of said town, present and voting thereon at such a meeting held not later than one year following its passage, and in the event of such acceptance shall become fully effective beginning with, and for the purposes of, the next annual town meeting held after the expiration of twenty days following its acceptance.

When effective.

Approved February 12, 1931.

An Act providing for the merging of the first congregational church and the first congregational society in the town of webster into the first congregational church, of webster, mass. *Chap.* 20

Be it enacted, etc., as follows:

Section 1. The First Congregational Church and the First Congregational Society, in the town of Webster, are hereby merged into the First Congregational Church, of Webster, Mass., a corporation organized under general law March thirty-first, nineteen hundred and thirty.

First Congregational Church and the First Congregational Society, in the town of Webster, merged into First Congregational Church, of Webster, Mass.

Section 2. This act shall take effect upon its acceptance by vote of the members of each of said churches and of said society, at meetings duly notified and called for the purpose; provided, that such acceptances occur within six months from the passage of this act.

Effective upon acceptance, etc.

Proviso.

Approved February 12, 1931.

Chap. 21 AN ACT TO PREVENT THE DEFILEMENT BY GULLS OR TERNS OF WATERS USED FOR DOMESTIC WATER SUPPLY.

Be it enacted, etc., as follows:

G. L. 111, new section after § 174.

SECTION 1. Chapter one hundred and eleven of the General Laws is hereby amended by inserting after section one hundred and seventy-four the following new section: — *Section 174A.* In order to preserve the purity and prevent the pollution of the waters of any reservoir, pond, stream or standpipe used for domestic water supply by the metropolitan water district or by a town, water supply or fire and water district, public institution or water company, the public board or commission, or the governing board in case of a water company, having control of such waters may authorize one or more of its employees, so far as permissible under federal law, to take such reasonable means and use such appliances and weapons as, in the judgment of such public board or commission, or governing board, as the case may be, will prevent the defilement of said waters by gulls or terns, any provision of chapter one hundred and thirty-one to the contrary notwithstanding. Every such public board or commission and governing board shall keep an accurate account of all birds killed by its employees under authority of this section and submit such account to the director of the division of fisheries and game of the department of conservation at such times and covering such periods as he may prescribe.

Prevention of the defilement by gulls or terns of waters used for domestic water supply.

1924, 240, repealed.

SECTION 2. Chapter two hundred and forty of the acts of nineteen hundred and twenty-four is hereby repealed.

Approved February 12, 1931.

Chap. 22 AN ACT RELATIVE TO THE LEASE OF A COURT ROOM AND OFFICES FOR THE USE OF THE TRIAL JUSTICE'S COURT IN THE TOWN OF LUDLOW.

Be it enacted, etc., as follows:

Hampden county commissioners may lease a court room, etc., for use of trial justice's court in town of Ludlow.

SECTION 1. The county commissioners of Hampden county are hereby authorized to lease, for periods not exceeding three years each, a court room and offices for the use of the trial justice's court in the town of Ludlow in said county, at an aggregate rental not exceeding fifty dollars a month, notwithstanding the provisions of section five of chapter two hundred and nineteen of the General Laws.

Effective upon acceptance, etc.

SECTION 2. This act shall take effect upon its acceptance during the current year by the county commissioners of said county, but not otherwise. *Approved February 12, 1931.*

Chap. 23 AN ACT REVIVING NORTHAMPTON STREET STABLES, INCORPORATED.

Emergency preamble.

Whereas, The deferred operation of this act would tend to defeat its purpose, therefore it is hereby declared to be

an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

Northampton Street Stables, Incorporated, revived.

Northampton Street Stables, Incorporated, a corporation dissolved by chapter two hundred and seventy-three of the acts of nineteen hundred and twenty-eight, is hereby revived with the same powers, duties and obligations as if said chapter had not been passed.

Approved February 13, 1931.

An Act authorizing the Reliance Co-operative Bank in the city of Cambridge to invest a portion of its funds in the alteration or remodeling of its bank building. *Chap.* 24

Be it enacted, etc., as follows:

Reliance Co-operative Bank in city of Cambridge may invest a portion of its funds in the alteration, etc., of its bank building.

Section 1. The Reliance Co-operative Bank in the city of Cambridge, incorporated under the laws of this commonwealth, may, subject to the approval of the commissioner of banks, invest in the alteration or remodeling of the building, now owned by said bank in said city and used in whole or in part for the convenient transaction of its business, a sum not exceeding seventy-five thousand dollars in addition to any sums heretofore authorized by law to be invested in said building.

Section 2. This act shall take effect upon its passage.

Approved February 13, 1931.

An Act authorizing the town of Marblehead to use certain park land as a site for a fire station. *Chap.* 25

Be it enacted, etc., as follows:

Town of Marblehead may use certain park land as a site for a fire station.

Section 1. The town of Marblehead may, notwithstanding any limitation contained in chapter forty-five of the General Laws, use as a site for a fire station, under the exclusive management and control of its fire department, a parcel of land included within the limits of Seaside park in said town, bounded and described as follows: — Beginning at a point on the northeasterly side of Ocean street in said town at the dividing line between the parcel here described and land shown as Gilbert Heights on the plan hereinafter referred to; thence along said dividing line in a general northeasterly direction by an irregular line, fifty-two and thirty-two one hundredths feet, sixty-four and one one hundredths feet, and approximately sixteen feet; thence turning and running southeasterly along other park land of said town shown on said plan, about ninety-three feet; thence turning and running southwesterly along such park land, approximately ninety-eight feet to said Ocean street; thence turning and running northwesterly along said Ocean street approximately one hundred and eighty feet to the

point of beginning; containing by approximation thirteen thousand square feet; all as shown on a plan entitled, "Town of Marblehead Site Plan for Proposed Fire Station Jan 20, 1931 H B Breare, Town Eng", and filed in the office of the town clerk of said town.

Submission to voters, etc.

SECTION 2. This act shall be submitted for acceptance to the voters of said town at its next annual town meeting and shall take full effect upon its acceptance by a majority of the voters voting on the question; but, for the purpose of such submission, it shall take effect upon its passage.

Approved February 13, 1931.

Chap. 26 AN ACT TO CHANGE THE MEMBERSHIP OF THE BOARD OF TRUSTEES OF MILTON ACADEMY.

Be it enacted, etc., as follows:

Act establishing Milton Academy amended.

Section five of an act approved March third, seventeen hundred and ninety-eight and entitled "An Act for establishing an academy in the Town of Milton, by the name of Milton Academy", as amended by section two of chapter two hundred and eight of the acts of nineteen hundred, is hereby further amended by striking out, in the third line, the word "fifteen" and inserting in place thereof the word: — eighteen, — so as to read as follows: — *Section 5. Be it further enacted,* That the number of the said trustees shall not, at one time, be more than eighteen nor less than nine; five of whom shall constitute a quorum to do business.

Trustees, quorum.

Approved February 13, 1931.

Chap. 27 AN ACT RELATIVE TO HUNTING HARES AND RABBITS IN NANTUCKET COUNTY.

Be it enacted, etc., as follows:

G. L. 131, § 94, amended.

SECTION 1. Chapter one hundred and thirty-one of the General Laws is hereby amended by striking out section ninety-four, inserted by section two of chapter three hundred and ninety-three of the acts of nineteen hundred and thirty, and inserting in place thereof the following: —

Close season for hares or rabbits.

Section 94. No person, otherwise than as provided in section ninety-six, shall hunt a hare or rabbit, except between October twentieth and the last day of February, both inclusive, in Nantucket county or between October twentieth and February fifteenth, both inclusive, in any other county, or during such open seasons kill more than two northern varying hares, otherwise known as Canada hares, snow-shoe rabbits or white rabbits, or more than five rabbits in any one day. This section shall not apply to European hares in the county of Berkshire, which may be taken or killed at any time.

Exception.

SECTION 2. This act shall take effect upon its passage.

Approved February 17, 1931.

An Act providing for the holding in the city of Pittsfield of all sessions of the probate court for the county of Berkshire. *Chap.* 28

Be it enacted, etc., as follows:

Section 1. Section sixty-two of chapter two hundred and fifteen of the General Laws, as most recently amended by section one of chapter one hundred and twelve of the acts of nineteen hundred and thirty, is hereby further amended by striking out the third paragraph, as appearing in chapter four hundred and eighty-three of the acts of nineteen hundred and twenty-three, and inserting in place thereof the following: — G. L. 215, § 62, etc., amended.

Berkshire; at Pittsfield, on each Tuesday of each month except August and November, and on the third Tuesday of August, on the Wednesday next after the first Monday in November and on each Tuesday in November after said Wednesday. Sittings of probate court for Berkshire county in city of Pittsfield.

Section 2. This act shall take effect upon its passage.

Approved February 17, 1931.

An Act relative to appropriations by the city of Boston for municipal purposes. *Chap.* 29

Be it enacted, etc., as follows:

Section 1. The city of Boston may by vote of the city council, with the approval of the mayor, in the manner specified in section three of chapter four hundred and eighty-six of the acts of nineteen hundred and nine, make appropriations for municipal purposes to be raised by taxation for the financial year ending December thirty-first, nineteen hundred and thirty-one, not exceeding the sum of sixteen dollars on each one thousand dollars of the valuation upon which the appropriations by the city council are based. Appropriations by city of Boston for municipal purposes.

Section 2. This act shall take effect upon its passage.

Approved February 17, 1931.

An Act providing that the city of Boston may use for other municipal purposes certain lands and interests therein acquired but not needed for the construction of a vehicular tunnel between Boston proper and East Boston. *Chap.* 30

Be it enacted, etc., as follows:

Section 1. The city of Boston is hereby authorized to use for the erection of a printing plant and police station, or either of them, any lands or easements therein in Boston proper acquired under the provisions of chapter two hundred and ninety-seven of the acts of nineteen hundred and twenty-nine, which shall, in the opinion of the transit department of the city of Boston, cease to be needed for the City of Boston may use for other municipal purposes certain lands and interests therein acquired but not needed for construction of certain vehicular tunnel.

purposes of said chapter two hundred and ninety-seven; provided, that said city shall pay into the sinking fund provided for in section eight of said chapter two hundred and ninety-seven such sum of money as may be agreed upon between the transit department and the mayor of said city as the reasonable value of the land and easements so used, or such sum annually as may be agreed upon between said transit department and said mayor as a reasonable rental value for said land and easements.

Proviso.

Section 2. This act shall take effect upon its passage.

Approved February 17, 1931.

Chap. 31 An Act further extending the time during which the cities of Lynn, Peabody, Salem and Beverly and the town of Danvers may take water from the Ipswich river for emergency purposes.

Be it enacted, etc., as follows:

1919 (S), 115, § 1, etc., amended.

Section 1. Section one of chapter one hundred and fifteen of the Special Acts of nineteen hundred and nineteen, as amended by section one of chapter sixty-six of the acts of nineteen hundred and twenty-two, by section one of chapter nineteen of the acts of nineteen hundred and twenty-five and by section one of chapter sixty-one of the acts of nineteen hundred and twenty-eight, is hereby further amended by striking out, in the twelfth and thirteenth lines, the words "twenty-eight, nineteen hundred and twenty-nine and nineteen hundred and thirty" and inserting in place thereof the words: — thirty-one, nineteen hundred and thirty-two and nineteen hundred and thirty-three, — so as to read as follows: — *Section 1.* The cities of Lynn, Peabody, Salem and Beverly and the town of Danvers, authorized to take water from the Ipswich river or its tributaries during the months from December to May, inclusive, under the provisions of chapter five hundred and eight of the acts of nineteen hundred and one and chapters six hundred and ninety-eight, six hundred and ninety-nine and seven hundred of the acts of nineteen hundred and thirteen, are hereby further authorized, in case of emergency, to take water from said river or its tributaries during the months from June to November, inclusive, in the years nineteen hundred and thirty-one, nineteen hundred and thirty-two and nineteen hundred and thirty-three, or any of said years, in quantities not exceeding those which may be taken from December to May, inclusive, as set forth in said acts, whenever, in the opinion of the department of public health, the taking of water during the months aforesaid in the years mentioned, or any of them, is necessary to provide an adequate water supply for the cities and town herein mentioned, subject otherwise to the remaining provisions of said acts.

Lynn, Peabody, Salem, Beverly and Danvers further authorized to take water from Ipswich river for emergency purposes.

Section 2. This act shall take effect upon its passage.

Approved February 17, 1931.

An Act authorizing the Boston Five Cents Savings Bank to make further investments in land and buildings for the convenient transaction of its business. *Chap.* 32

Be it enacted, etc., as follows:

Boston Five Cents Savings Bank may invest a certain sum in erection, etc., of a suitable building for the convenient transaction of its business.

Section 1. The Boston Five Cents Savings Bank, incorporated under chapter two hundred and thirty-two of the acts of eighteen hundred and fifty-four, approved April seventh of said year, may, subject to the approval of the commissioner of banks, invest in the erection and preparation of a suitable building or in the alteration and renovation of any building now owned or to be acquired by it, including the cost of such acquisition, to be used in whole or in part for the convenient transaction of its business and to be located on School street, in the city of Boston, a sum not exceeding five hundred thousand dollars in addition to any sums heretofore and hereinafter authorized to be invested in land or buildings for said use.

May invest a certain sum in land and buildings for branch office or offices, etc.

Section 2. Said bank may, subject to like approval, invest a sum not exceeding two hundred thousand dollars, in addition to any sums heretofore and hereinbefore authorized, in the acquisition of land and buildings in the city of Boston, and in the alteration and preparation of such buildings, to be used in whole or in part for the conduct of a branch office or offices of said bank.

Section 3. This act shall take effect upon its passage.

Approved February 17, 1931.

An Act to permit the planning board of the town of Amesbury to act as the board of survey in said town. *Chap.* 33

Be it enacted, etc., as follows:

The planning board of town of Amesbury may act as board of survey in said town.

Section 1. The planning board of the town of Amesbury from and after the acceptance of this act shall act as the board of survey therein, and shall have all the powers and duties imposed upon boards of survey by the provisions of sections seventy-three to eighty-one, inclusive, of chapter forty-one of the General Laws.

Submission to voters, etc.

Section 2. This act shall take full effect upon its acceptance by a majority of the registered voters of the town, present and voting thereon at any annual or special town meeting called for the purpose within two years from the passage of this act; but for the purpose of such acceptance, it shall take effect upon its passage.

Approved February 17, 1931.

Chap. 34 AN ACT TO PROHIBIT AND PROVIDE FOR THE ABATEMENT OF CERTAIN NUISANCES ON THE SEASHORE IN PLYMOUTH COUNTY.

Be it enacted, etc., as follows:

1918 (G), 243, § 1, amended.

Section one of chapter two hundred and forty-three of the General Acts of nineteen hundred and eighteen is hereby amended by inserting after the word "Barnstable" in the sixth line the word: — , Plymouth, — so as to read as follows: —

Abatement of certain nuisances on the seashore in the counties of Dukes County, Barnstable, Plymouth or Nantucket.

Section 1. It shall be unlawful for any person to deposit, or wilfully or negligently cause or permit to be deposited or to dispose of in such manner as to cause the same to be deposited by the action of the tide or otherwise upon the seashore within the limits of the counties of Dukes County, Barnstable, Plymouth or Nantucket, any mammals, alive or dead, constituting or likely to constitute a nuisance or a detriment to the health of the community.

Penalty.

Any person violating any provision of this section shall be punished by a fine of not less than twenty nor more than five hundred dollars. *Approved February 17, 1931.*

Chap. 35 AN ACT TO ENABLE THE ENDOWMENT COMMITTEE OF THE FIRST CONGREGATIONAL CHURCH OF HOLLISTON TO HOLD ADDITIONAL PROPERTY.

Be it enacted, etc., as follows:

Endowment Committee of the First Congregational Church of Holliston may hold additional property.

The Endowment Committee of the First Congregational Church of Holliston, incorporated by an act approved February twenty-fourth, eighteen hundred and twenty-nine, under the name of the Trustees of the Eames Ministerial Fund in Holliston, and whose name was changed to its present one by section one of chapter two hundred and sixteen of the acts of nineteen hundred and thirty, is hereby authorized to receive, hold, manage and invest all funds and property, real and personal, which have been or may be assigned, conveyed, bequeathed or devised to it for the purposes, use or benefit of the First Congregational Church of Holliston, in accordance with the terms of any such assignment, conveyance, bequest or devise to the amount limited by general law. *Approved February 17, 1931.*

Chap. 36 AN ACT RELATIVE TO THE FURNISHING BY COUNTY TUBERCULOSIS HOSPITAL DISTRICTS OF DIAGNOSTIC SERVICE TO COMBAT THE SPREAD OF TUBERCULOSIS.

Be it enacted, etc., as follows:

G. L. 111, new section after § 85B.

SECTION 1. Chapter one hundred and eleven of the General Laws is hereby amended by inserting after section eighty-five B, inserted therein by section one of chapter seventy-three of the acts of nineteen hundred and twenty-

seven, the following new section: — *Section 85C.* The county commissioners of each county, in making adequate hospital provision for tubercular patients, as required by sections seventy-eight to ninety-one, inclusive, may provide such adequate out-patient departments as they deem proper to afford to persons entitled thereto diagnostic service in respect to tuberculosis and to furnish advice as to their care and treatment, and the county commissioners of any county may, on request of the board of health of a town in their tuberculosis hospital district, supplement local facilities in such town in furnishing such diagnostic service.

County commissioners may provide out-patient departments to afford to persons entitled thereto diagnostic service in respect to tuberculosis, etc.

Section 2. Section eighty-five of said chapter one hundred and eleven, as most recently amended by section two of chapter three hundred and fifty-four of the acts of nineteen hundred and twenty-eight, is hereby further amended by inserting after the word "appropriations" in the ninth line the following: —, and shall for said purposes include the establishment and maintenance of out-patient departments and the furnishing of supplementary diagnostic service under section eighty-five C, — so as to read as follows: — *Section 85.* The county shall provide for the care, maintenance and repair of said hospital, which shall, for the purposes of this section and section eighty-five A, include the care, maintenance and repair of any preventorium erected by said county in accordance with section eighty-five B and also the cost of its construction and original equipment except when the cost of its construction, original equipment, care, maintenance or repair is provided under said section eighty-five B to be paid from appropriations, and shall for said purposes include the establishment and maintenance of out-patient departments and the furnishing of supplementary diagnostic service under section eighty-five C. The county commissioners shall annually in January apportion the cost thereof, including interest paid or due on temporary notes issued therefor, for the previous year to the towns liable, in the same proportion in which the cost of the construction was assessed, and shall issue their warrant against the towns for the amount or percentage for which they are severally assessed to pay for the maintenance, care and repair of said hospital. The county may, thirty days after a written demand for payment, recover in contract against any town liable to pay any part of the cost of construction, maintenance or repair of said hospital the amount for which it may be liable. County commissioners of counties whose patients are cared for by contract under section seventy-nine may raise and expend the sums necessary to carry out the provisions thereof, and may borrow the same on the credit of the county, and issue therefor notes of the county, payable, in not more than eighteen months from their respective dates of issue, from the reimbursements received from the said towns. They shall annually in January determine the total amount already expended by or due from the county

G. L. 111, § 85, etc., amended.

Apportionment of cost of county tuberculosis hospitals and preventoria, and the establishment and maintenance of out-patient departments and the furnishing of supplementary diagnostic service under § 85C.

County commissioners may borrow money for payment of care of patients by contract, etc.

under such contracts during the previous year, and shall apportion the same to and may collect the same from the several towns liable, in like manner as the cost of construction and equipment of hospitals is apportioned under section eighty-three, and the same shall be applied to the payment of the temporary debt incurred by said counties.

Approved February 17, 1931.

Chap. 37 AN ACT TO AUTHORIZE THE CHILDREN'S HOSPITAL IN THE CITY OF BOSTON TO HOLD ADDITIONAL REAL AND PERSONAL ESTATE.

Be it enacted, etc., as follows:

The Children's Hospital in the city of Boston may hold additional real and personal estate.

The Children's Hospital, incorporated by chapter forty-four of the acts of eighteen hundred and sixty-nine, is hereby authorized to hold, for the purposes for which it is incorporated, real and personal estate to an amount not exceeding eight million dollars in value, including the amount which it is already authorized by law to hold.

Approved February 17, 1931.

Chap. 38 AN ACT TO PROVIDE FOR THE CONSTRUCTION, ORIGINAL EQUIPMENT AND FURNISHING OF A NURSES' HOME AT THE HAMPSHIRE COUNTY SANATORIUM AT LEEDS IN THE CITY OF NORTHAMPTON.

Be it enacted, etc., as follows:

Hampshire county commissioners may expend a certain sum for the construction, etc., of a nurses' home at the Hampshire county sanatorium at Leeds in the city of Northampton.

SECTION 1. For the purpose of constructing, originally equipping and furnishing a nurses' home at the Hampshire county sanatorium at Leeds in the city of Northampton, the county commissioners of Hampshire county may expend a sum not exceeding twenty thousand dollars, the same to be ultimately paid by the cities and towns of Hampshire, Franklin and Berkshire counties and of the Hampden county tuberculosis hospital district in the same proportions set forth for the payment of maintenance expenses of said sanatorium in existing contracts, entered into under section seventy-nine of chapter one hundred and eleven of the General Laws, for the use of said sanatorium for the purpose of guaranteeing adequate hospital provision for tubercular patients residing in said cities and towns: to wit, the cities and towns of Hampshire county, fifteen per cent; of Franklin county, twenty-five per cent; of Berkshire county, twenty per cent; and of the Hampden county tuberculosis hospital district, forty per cent. No work on said nurses' home shall be commenced unless and until plans thereof are approved by the state department of public health.

Apportionment of expense, etc.

Hampshire county treasurer may borrow money, etc.

SECTION 2. For the purpose of meeting the initial expenditure as aforesaid, the county treasurer of the county of Hampshire, with the approval of the county commissioners, may borrow on the credit of the county such sums

as may be necessary, not exceeding, in the aggregate, twenty thousand dollars, and may issue notes of the county therefor, which shall bear on their face the words, Hampshire County Sanatorium Loan, Act of 1931. Each authorized issue shall constitute a separate loan, and such loans shall be payable in not more than one year from their dates. The notes shall be signed by the county treasurer and countersigned by a majority of the county commissioners. To meet payments of principal and interest on account of said notes, each of the counties of Franklin, Berkshire and Hampden shall, upon the certification to it by the county treasurer of Hampshire county of the sum due on account of the cities and towns therein ultimately liable under section one, pay the same into the treasury of Hampshire county; and, for the purposes hereof, the sum so required to be paid by each such county shall be treated as tuberculosis hospital maintenance, and the provisions of section eighty-five of said chapter one hundred and eleven shall apply to the raising, apportioning and collection thereof.

Hampshire County Sanatorium Loan, Act of 1931.

SECTION 3. This act shall take effect upon its acceptance during the current year by the county commissioners of Hampshire, Franklin, Berkshire and Hampden counties, but not otherwise. *Approved February 17, 1931.*

Submission to county commissioners of Hampshire, Franklin, Berkshire and Hampden counties.

AN ACT INCREASING THE POWERS OF THE MOTH SUPERINTENDENT AND OF THE TREE WARDEN IN THE TOWN OF MILTON. *Chap.* 39

Be it enacted, etc., as follows:

SECTION 1. The local superintendent in the town of Milton, appointed under the provisions of section thirteen of chapter one hundred and thirty-two of the General Laws, may, upon the request of an owner of private land in said town, enter thereon and, by creosoting, spraying, or other method, destroy or prevent damage by the tent caterpillar, leopard moth, elm beetle, and gypsy and brown tail moth, or any other tree or shrub destroying pest, and the expense thereof shall be a lien upon such land and shall be assessed and collected as provided in section eighteen of said chapter one hundred and thirty-two, but the limitation as to the amount assessable upon land under said section eighteen shall not apply to assessments for work done hereunder.

Prevention of damage by tree or shrub destroying pests on private lands in town of Milton.

Expense to be lien upon land, etc.

SECTION 2. The tree warden in said town may, upon request of an owner of private land therein, enter upon such private land and cut down or trim trees, bushes and shrubs, and the expense of such work shall be a lien upon such land and shall be assessed and collected in the manner provided by said section eighteen in respect to work in suppression of gypsy and brown tail moths.

Cutting down or trimming of trees, etc., upon private lands.

Expense to be lien upon land, etc.

Approved February 17, 1931.

Chap. 40 AN ACT AUTHORIZING THE CITY OF BOSTON TO TRANSFER TO ITS PARK DEPARTMENT FOR PUBLIC PARK PURPOSES CERTAIN LAND ON PARKER HILL IN SAID CITY NOW HELD FOR HOSPITAL PURPOSES.

Be it enacted, etc., as follows:

City of Boston may transfer to its park department for public park purposes certain land on Parker hill in said city now held for hospital purposes.

SECTION 1. The land now owned by the city of Boston on Parker hill in the Roxbury district of said city, consisting of about five hundred and two thousand nine hundred and thirty-nine square feet, together with any buildings or structures thereon, taken by said city and now held for hospital purposes but no longer needed for such purposes, shall hereafter be devoted to the purposes of a public park, and the board of park commissioners of said city shall have charge and control of said park to the same extent as if said land had been acquired under chapter forty-five of the General Laws.

Submission to city council, etc.

SECTION 2. This act shall take effect upon its acceptance by vote of the city council of said city, subject to the provisions of its charter. *Approved February 17, 1931.*

Chap. 41 AN ACT PERMITTING POLICEMEN TO PARADE WITH MUSIC ON POLICEMEN'S MEMORIAL DAY AND AUTHORIZING APPROPRIATIONS BY CITIES AND TOWNS FOR THE CARE AND DECORATION OF POLICEMEN'S GRAVES AND MEMORIALS.

Be it enacted, etc., as follows:

G. L. 136, § 11, amended.

SECTION 1. Chapter one hundred and thirty-six of the General Laws is hereby amended by striking out section eleven and inserting in place thereof the following: — *Section 11.* Any company or association of policemen or firemen, whether in active service or former members of a police or fire department, may parade with music, in the case of policemen, on policemen's memorial day, the first Sunday of June in each year, and, in the case of firemen, on firemen's memorial day, the second Sunday of June in each year, for the special purpose of decorating the graves of deceased policemen or firemen, as the case may be; provided, that the music shall be suspended while passing within two hundred feet of any place of public worship where services are being held.

Policemen may parade with music on policemen's memorial day, and firemen on firemen's memorial day.

Proviso.

G. L. 40, § 5, cl. (12), etc., amended.

SECTION 2. Clause (12) of section five of chapter forty of the General Laws, as most recently amended by chapter one hundred and eight of the acts of nineteen hundred and twenty-nine, is hereby further amended by inserting after the word "firemen" in the twenty-eighth and twenty-ninth lines the words: — and policemen, — by inserting after the word "fire" in the thirtieth line the words: — or police, — and by inserting after the word "firemen" in the thirty-first line the words: — and policemen, — so as to read as follows: — (12) For erecting headstones or other monuments at the graves of persons who served in the war of the revolu-

Cities and towns may appropriate money for

tion, the war of eighteen hundred and twelve, the Seminole war, the Mexican war or the war of the rebellion or who served in the military or naval service of the United States in the Spanish American war or in the World war; for acquiring land by purchase or by eminent domain under chapter seventy-nine, purchasing, erecting, equipping or dedicating buildings, or constructing or dedicating other suitable memorials, for the purpose of properly commemorating the services and sacrifices of persons who served as aforesaid; for the decoration of the graves, monuments or other memorials of soldiers, sailors and marines who served in the army, navy or marine corps of the United States in time of war or insurrection and the proper observance of Memorial Day and other patriotic holidays under the auspices of the local posts of the Grand Army of the Republic, United Spanish War Veterans, The American Legion and the Veterans of Foreign Wars of the United States and under the auspices of the Kearsarge Association of Naval Veterans, Inc. and of local garrisons of the Army and Navy Union of the United States of America and of local chapters of the Massachusetts Society of the Sons of the American Revolution and of a local camp of the Sons of Union Veterans of the Civil War in the case of a town in which there is no post of the Grand Army of the Republic; or for keeping in repair graves, monuments or other memorials erected to the memory of such persons or of its firemen and policemen who died from injuries received in the performance of their duties in the fire or police service or for decorating the graves of such firemen and policemen or for other memorial observances in their honor. Money appropriated in honor of such firemen may be paid over to, and expended for such purposes by, any veteran firemen's association or similar organization. *Approved February 17, 1931.*

decoration of soldiers' graves and for observance of Memorial Day and other patriotic holidays, etc., and for the care and decoration of firemen's and policemen's graves, etc.

An Act requiring certain incorporated trustees of charitable trusts to file annual reports with the department of public welfare. *Chap.* 42

Be it enacted, etc., as follows:

Section fifteen of chapter sixty-eight of the General Laws, added by chapter two hundred and nine of the acts of nineteen hundred and thirty, is hereby amended by striking out, in the second line, the word "unincorporated" and by inserting after the word "trustee" in the same line the words: — , incorporated or unincorporated, except a charitable corporation subject to section twelve or twelve A of chapter one hundred and eighty or expressly exempted in said section twelve A from the provisions thereof, — so as to read as follows: — *Section 15.* Every trustee, incorporated or unincorporated, except a charitable corporation subject to section twelve or twelve A of chapter one hundred and eighty or expressly exempted in said section twelve A

G. L. 68, § 15, amended.

Certain incorporated or unincorporated trustees of charitable trusts to file annual reports

with department of public welfare.

from the provisions thereof, who holds in trust within the commonwealth property given, devised or bequeathed for benevolent, charitable, humane or philanthropic purposes and administers, or is under a duty to administer, the same in whole or in part for said purposes within the commonwealth shall annually, on or before November first, make to the department of public welfare a written report for the last preceding financial year of such trust, showing the property so held and administered, the receipts and expenditures in connection therewith, the whole number and the average number of beneficiaries thereof, and such other information as the department requires; provided, that if any such trustee is required by law to file an account with the probate court, said department shall accept a copy thereof in lieu of the report hereinbefore required. Failure for two successive years to file such a report shall constitute a breach of trust within the meaning of section eight of chapter twelve and shall be reported by said department to the attorney general, who shall take such action as may be appropriate to compel compliance with this section.

Proviso.

Action by attorney general in case of failure to file report, etc.

Approved February 18, 1931.

Chap. 43 AN ACT ESTABLISHING THE FINANCIAL YEAR OF THE CITY OF CAMBRIDGE AND REGULATING APPROPRIATIONS THEREIN.

Be it enacted, etc., as follows:

Financial year in city of Cambridge in years 1931 and in 1932, and in each year thereafter.

SECTION 1. The financial year of the city of Cambridge in nineteen hundred and thirty-one shall begin April first and end December thirty-first. In nineteen hundred and thirty-two and in each year thereafter, the financial year of said city shall begin January first and end December thirty-first.

Appropriation for certain purposes for financial year in 1931.

SECTION 2. For the financial year in nineteen hundred and thirty-one as established in section one, there shall be raised in the tax levy of said city not less than the sum of one million five hundred thousand dollars to be appropriated for the construction of school buildings, streets, public buildings, and other construction projects, for which loans might otherwise be issued for terms of ten or more years, said sum being the approximate difference between the requirements for current expenses in said city for a financial period of twelve months and for one of nine months.

Appropriations by school committee for certain purposes for financial year in 1931.

SECTION 3. For the financial year in nineteen hundred and thirty-one as established in section one, there shall be raised in the tax levy and appropriated by the school committee of said city for the purposes enumerated in section one of chapter one hundred and eighty-four of the acts of nineteen hundred and twenty-six, a sum not in excess of six dollars and fifty cents on each one thousand dollars of taxable property of the city, to be estimated by taking the average amount of taxable property during the three preceding years.

For the financial year beginning January first, nineteen hundred and thirty-two and for each financial year thereafter, the school committee of said city shall make appropriations to be raised in the tax levy, in accordance with the provisions of said section one of said chapter one hundred and eighty-four. Appropriations by school committee for financial year beginning January 1, 1932, and for each financial year thereafter.

Section 4. This act shall take effect upon its passage.

Approved February 19, 1931.

An Act authorizing the city of Fall River to fund certain indebtedness and establishing a board of finance for said city. *Chap.* 44

Be it enacted, etc., as follows:

Section 1. The city of Fall River for the purposes specified in section four of this act may issue from time to time bonds or notes to an amount, not exceeding three million five hundred thousand dollars, which shall bear on their face the words, City of Fall River Funding Loan, Act of 1931. Each authorized issue shall constitute a separate loan, and such loans shall be paid in not more than ten years from their dates, but not in any event later than December thirty-first, nineteen hundred and forty-one. Indebtedness incurred under this act shall be in excess of the statutory limit but shall, except as herein provided, be subject to chapter forty-four of the General Laws, exclusive of the limitation contained in the first paragraph of section seven of said chapter, as revised by chapter three hundred and twenty-four of the acts of nineteen hundred and twenty-eight. The said city may issue temporary notes of the city payable in not more than one year from their dates, in anticipation of the issue of serial bonds or notes authorized by this section, but the time within which such serial bonds or notes shall become due and payable shall not, by reason of such temporary notes, be extended beyond the time fixed by this section. All notes issued in anticipation of the issue of said serial bonds or notes shall be paid from the proceeds thereof. Income and corporation taxes otherwise distributable in any year to said city by the commonwealth shall be set aside by the state treasurer to the extent of the principal and interest upon the loans authorized under this section due in said year, and shall be expended by him, to such extent only, for the payment thereof unless previously such principal and interest have been paid or payment thereof has been adequately provided for; and the amount of such taxes so set aside which is not required to be so expended shall be distributed as provided by law. Nothing herein contained shall be construed to abridge the power of the general court to amend, alter or repeal the laws authorizing the imposition or distribution of said taxes. City of Fall River may issue from time to time bonds or notes for specified purposes. City of Fall River Funding Loan, Act of 1931. Powers of general court not abridged.

Section 2. The said city may also refund or extend from time to time for a period not extending beyond July first, City may refund or extend for certain

period, certain revenue loans.

nineteen hundred and thirty-three, revenue loans issued on account of the revenue of the year nineteen hundred and thirty and now outstanding, to an amount not exceeding one million dollars, the same to be outside the statutory limit of indebtedness. None of the receipts from the collection of taxes assessed by said city for the year nineteen hundred and thirty and prior years shall be appropriated for any purpose other than for the payment of liabilities of said city outstanding on January first, nineteen hundred and thirty-one, or for the purposes specified in clause (*e*) of section four of this act, or for the payment of the loans authorized under this and the preceding sections, or either of them, and such payment shall be made only upon order of the Fall River Board of Finance, which is hereby established and hereinafter called the board. The board shall have entire and exclusive charge and authority, within the limitations prescribed in this act, in respect to the issuance of bonds or notes authorized under this and the preceding sections, or either of them, including the form, maturities, interest rate or discount, and the time of sale thereof, and shall take all action necessary for the complete carrying out of the provisions of this act relative to the issuance of such bonds or notes. Bonds or notes issued under authority of this and the preceding sections, or either of them, shall be issued at such times and in such amounts as may be determined by the board, and shall be signed by the treasurer and collector of said city and countersigned by the board, notwithstanding any provision of chapter forty-four of the General Laws or of the charter of said city to the contrary. Bonds and notes issued under authority of this act shall, in favor of bona fide holders, be conclusively presumed to have been duly and regularly authorized and issued in accordance with the provisions contained in this act, and no holder thereof shall be obliged to see to the existence of the purpose of the issue or to the regularity of any of the proceedings or to the application of the proceeds.

Receipts from collection of certain taxes to be appropriated for specific purposes.

Fall River Board of Finance established.

Bonds or notes, issue, etc.

City may borrow in anticipation of revenue, etc.

SECTION 3. The said city may borrow in anticipation of revenue during the period in which the board remains in existence, in the manner and to the amount authorized by chapter forty-four of the General Laws, except as herein otherwise provided, but the amount of any loan issued in anticipation of the revenue of any year, which remains outstanding and unpaid on August first of the following year, shall be included in the amount to be assessed by the assessors of said city in the tax levy of said following year; or, if the tax rate has already been fixed, a special tax levy for a sum sufficient to pay the amount of such loan remaining unpaid as aforesaid shall be assessed, committed and collected in the same manner as taxes for general municipal purposes.

Sums raised by authority of §§ 1 and 2, to be used for specific

SECTION 4. The sums raised by authority of sections one and two of this act, or either of them, shall be used for the following purposes and only upon order of the board: —

(*a*) for the payment of any or all of the outstanding temporary loans of the city authorized prior to January first, nineteen hundred and thirty-one, in anticipation of revenue under section four of chapter forty-four of the General Laws; (*b*) for satisfaction of all amounts appropriated, granted or lawfully expended by said city prior to January first, nineteen hundred and thirty-one, for which no provision has been made in the last preceding annual assessment; (*c*) for the satisfaction of abatements on account of the tax assessments of the year nineteen hundred and thirty and of any year prior thereto heretofore or hereafter granted prior to December thirty-first, nineteen hundred and thirty-one, in excess of the overlay of such years; (*d*) for the payment of final judgment loans authorized prior to the passage of this act under the provisions of clause eleven of section seven of chapter forty-four of the General Laws; and (*e*) for the payment to the individuals, partnerships and corporations entitled thereto of refunds on account of taxes, assessed upon their respective property in the year nineteen hundred and thirty and in any year prior thereto, paid and abated on account of said years. No repayment of taxes shall be made or abatement granted except in cases in which the provisions of law with respect to the abatement of taxes have been complied with by the taxpayer; provided, however, that it shall not constitute a bar to judgment in any proceeding for abatement that the petitioner has not paid his tax or that his property has been sold or taken for non-payment of taxes. In cases in which applications, complaints or appeals are or may be pending before the assessors of said city, the superior court, the county commissioners, or the board of tax appeals of the commonwealth, payment may be made under this act only upon a proper determination, judgment, order or finding; provided, that after the passage of this act no consent to or agreement for the entry of any such determination, judgment, order or finding shall be binding upon said city unless bearing the written approval of the board. The assessors of said city shall not be required by the provisions of section twenty-three of chapter fifty-nine of the General Laws to assess taxes for the purposes specified therein to the extent that the same shall have been provided for under the provisions of this act.

purposes and only upon order of board.

No repayment or abatement of taxes, except, etc.

Proviso.

Pending appeals, etc.

Proviso.

SECTION 5. That part of the aggregate net earnings in any year of the sinking funds established by said city for other than water supply purposes prior to the passage of this act which, as determined by the board, shall be in excess of so much thereof as will, together with the aggregate amount of said funds and their accumulations, be sufficient to extinguish at maturity the debts for which said funds were established, shall upon order of the board be used by the city to pay the interest due in said year upon said debts, but only to the extent that such use does not violate existing contract rights; and to the extent the

Aggregate net earnings of sinking funds established prior to passage of act, excess, how used, etc.

aggregate net earnings are so used, said city shall not be required to raise from taxation the amount of interest due on said debts.

Fall River Board of Finance, appointment, terms, etc.

SECTION 6. The governor, with the advice and consent of the executive council, shall appoint a board of three persons, citizens of this commonwealth, at least one of whom shall be a resident of the city of Fall River, to be known as the Fall River Board of Finance. Of the members of the board first appointed, one shall be appointed to serve until the first Monday in January in the year nineteen hundred and thirty-three, one until the first Monday in January in the year nineteen hundred and thirty-five, and one until the first Monday in January in the year nineteen hundred and thirty-seven, and thereafter as the term of a member expires, the governor, with like advice and consent, shall appoint his successor, to serve for six years from the expiration of such term. Each such member shall hold office until the qualification of his successor. The governor, with like advice and consent, shall, from time to time, designate one of the members as chairman, shall fix the compensation of the members, may remove any member and shall fill any vacancy in the board for the unexpired term. The action of any two of the members shall constitute the action of the board; and whenever any action by the board is required by this act to be in writing, such writing shall be sufficient when signed by any two of the members. The board shall make an annual report in January of each year to the general court.

Chairman.

Vacancy.

What shall constitute action of board.

Annual report.

Board may employ experts, counsel, etc.

SECTION 7. The board may employ such experts, counsel and other assistants, and incur such other expenses as it may deem necessary. A sum sufficient to cover the compensation of the members of the board and such further sum as the board shall certify as necessary for its expenses as aforesaid shall be appropriated each year by said city and shall be paid by said city upon the requisition of the board. The board shall have the same right to incur expenses in anticipation of its appropriation as if it were a regular department of said city; and in the event that no such appropriation shall be made, the board may expend in any one year a sum not exceeding in the aggregate the compensation of its members and its necessary expenses as certified by it as aforesaid. The city shall provide appropriate offices and quarters for the use of the board and of such of its assistants as it shall designate.

May incur expenses in anticipation of appropriation.

Board to have supervision over financial affairs of city, etc.

SECTION 8. The board shall have supervision over the financial affairs of said city, and no appropriations shall be made, and no debt incurred, except with the approval or upon the recommendation or requisition of the board, which approval, recommendation or requisition shall be in writing. No department of said city, including, without limiting the generality of the foregoing, the school and police departments, shall expend any money or incur any liability except with the written approval of the board;

No city department to expend money, except, etc.

provided that the board may at any time and from time to time authorize in writing any department of said city to make expenditures or incur liabilities without such approval until further notice from the board. The board may make recommendations in writing to the city council, the school committee, the police commission, the reservoir commission, and all other commissions, boards, committees, and officers having charge of any of the city's affairs. Sections thirty-seven to forty-four inclusive of chapter forty-three of the General Laws shall not apply to acts of the city council in adopting recommendations of the board. Section thirty-one of chapter forty-four of the General Laws shall apply to all departments of said city, including, without limiting the generality of the foregoing, its police and school departments; and further said section shall be construed to prohibit the incurring of liabilities by its police department or by its school department for salaries or compensation of any persons serving in the department, in excess of the appropriation or item appropriating money for such purpose, notwithstanding the common law or any provision of statutory law to the contrary.

Proviso.

Board may make recommendations in writing to city council, etc.

Section 9. The board shall, from time to time, appoint from the registered voters of said city an auditor, a treasurer and collector and three assessors of said city, who shall hold their respective offices, and be subject to removal, at the pleasure of the board. It shall, from time to time, fix the compensation of such officers, which shall be appropriated each year and paid by said city upon the requisition of the board. The persons now lawfully holding such offices shall continue to hold the same until their successors are appointed as herein provided and shall have qualified as required by law.

Board to appoint auditor, treasurer and collector, and three assessors, etc.

Section 10. Notwithstanding any provision in the statutes to the contrary, no abatement of a tax shall be granted by the assessors of said city in excess of five hundred dollars, except with the approval in writing of the board of finance. The board may rebate any and all taxes and charges upon property purchased or taken by the city for non-payment of taxes and may order the release to any person, firm or corporation having an interest in such property, or their heirs or assigns, of all its right, title and interest in any such property, upon such terms and conditions as it may deem advisable, which release when signed by the chairman of the board shall discharge the lien or interest so acquired. The board may order the assessors to abate taxes to such extent as it may determine them to be excessive or uncollectible, but nothing herein contained shall abridge the rights of taxpayers to seek abatements as provided by law.

Abatement of taxes, etc.

Section 11. For the purpose of enabling the board to perform its duties hereunder, it shall have power to require the attendance and testimony of witnesses and the production of all books, papers, contracts and documents re-

May require attendance and testimony of witnesses, etc.

lating to the affairs of said city, or which may be material in the opinion of the board to the performance of its duties. Such witnesses shall be summoned in the same manner and be paid the same fees as witnesses in civil cases before the courts. Witnesses may be represented by counsel, who may offer additional testimony by consent of the board. The chairman or any other member of the board may administer oaths to or take the affirmation of witnesses appearing before it, and the board may prescribe reasonable rules and regulations for the conduct of hearings and the giving of testimony.

Fees.

Oaths.

Rules and regulations for conduct of hearings.

Court order upon refusal to attend, etc.

SECTION 12. If any person so summoned and paid shall refuse to attend, or to be sworn, or to affirm, or to answer any question, or to produce any book, paper, contract or document pertinent to the matter of inquiry in consideration before the board, a justice of the supreme judicial court or of the superior court, in his discretion, upon application by the board or any member thereof, authorized thereto by vote of the board, may issue an order requiring such person to appear before the board, and to produce such books, papers, contracts and documents and to give evidence touching the matter in question. Any failure to obey such order of the court may be punished by such court as a contempt thereof.

Penalty.

SECTION 13. Any person so summoned and paid who shall refuse to attend, or to be sworn, or to affirm, or to answer any question, or to produce any book, paper, contract or document pertinent to the matter of inquiry in consideration before the board, and any person who wilfully interrupts or disturbs, or is disorderly at, any hearing of the board shall be punished by a fine not exceeding fifty dollars, or by imprisonment for not more than thirty days, or by both such fine and imprisonment.

Issue of commission for examination of person without commonwealth, etc.

SECTION 14. Upon application by the board to any justice of the supreme judicial court or of the superior court, the said justice may issue a commission to one or more competent persons in another state for the examination of a person without this commonwealth relative to any matter within the scope of the said investigation or of this act. The testimony of such person may be taken by open commission, or otherwise under the procedure, so far as the same may be applicable, provided by section forty-two of chapter two hundred and thirty-three of the General Laws, and the said justice may issue letters rogatory in support of said commission.

Incriminating testimony, etc., not compelled.

SECTION 15. Nothing in this act shall be construed to compel any person to give any testimony or to produce any evidence, documentary or otherwise, which may tend to incriminate him.

When powers and duties of board shall cease and its existence terminate.

SECTION 16. On the thirty-first day of December next succeeding the date on which the last outstanding bond or note issued under section one or two hereof shall have been paid and discharged, or a sum sufficient to pay and dis-

charge such bond or note shall have been set aside and deposited in trust therefor, the powers and duties of the board shall cease and its existence shall terminate. The operation of such part of any statute as is inconsistent with the provisions of this act, in so far and to the extent that it applies to the city of Fall River or to any of its interests or affairs, shall be suspended so long as the powers and duties of the board continue to be in effect hereunder. Every reference in this act to any statute shall be construed to include all amendments thereto in force at the time of the passage hereof.

Operation of inconsistent statutes suspended while powers, etc., of board continue to be in effect, etc.

Section 17. The provisions of this act shall be incorporated by reference in the terms and conditions of the bonds and notes issued under authority hereof, and shall constitute an essential part of the contract or agreement of the city with the holders thereof; and until all of said bonds and notes, together with interest thereon, shall have been paid in full, or a sum sufficient for such payment shall have been set aside and deposited in trust therefor, the powers and duties of the board as herein specified shall not be diminished or abrogated except upon petition of or with the approval of the board. The bonds and notes issued under authority of this act, if otherwise negotiable, shall not be rendered non-negotiable by anything in this act contained.

Provisions of act to be incorporated by reference in terms, etc., of bonds, etc.

Section 18. If any part, clause, subdivision or section of this act shall be declared unconstitutional the validity of its remaining provisions shall not be affected thereby.

Unconstitutionality of any part of act not to affect validity of remaining provisions.

Section 19. This act shall take effect upon its passage.

Approved February 19, 1931.

An Act authorizing the town of Greenfield to use as a public park and as parkways a certain parcel of land known as "the common" in said town. *Chap.* 45

Be it enacted, etc., as follows:

Section 1. The town of Greenfield is hereby authorized to use as a public park and as parkways the land known as "The Common", substantially quadrangular in shape and bounded by Main street, by various parcels of land abutting upon a way known as Bank Row, and by a way known as Clay Hill, and by various parcels of land abutting on a way known as Court Square; all as shown on plan entitled, "Plan showing Greenfield Common", filed February twenty-first, nineteen hundred and twenty-seven, in the office of the town clerk of said town; and such land and the structures thereon shall be under the same care and control as land taken by the town for park purposes.

Town of Greenfield may use as a public park and as parkways a certain parcel of land known as "The Common" in said town.

Section 2. This act shall take effect upon its passage.

Approved February 20, 1931.

Chap. 46 AN ACT AUTHORIZING THE TOWN OF BELMONT TO REVOKE ITS ACCEPTANCE OF THE TENEMENT HOUSE LAW, SO-CALLED.

Be it enacted, etc., as follows:

Town of Belmont may revoke its acceptance of the tenement house law, so-called.

SECTION 1. There may be submitted at any town meeting in the town of Belmont, held within two years after the passage of this act, the question of the revocation of its acceptance of chapter six hundred and thirty-five of the acts of nineteen hundred and twelve, being an act relative to tenement houses in towns, and if a majority of the town meeting members of said town voting thereon vote in favor of such revocation, then the provisions of chapter one hundred and forty-five of the General Laws shall not apply in said town. Nothing herein contained shall prevent said town from again accepting the provisions of said chapter one hundred and forty-five after the revocation of its acceptance thereof.

SECTION 2. This act shall take effect upon its passage.

Approved February 20, 1931.

Chap. 47 AN ACT REMOVING CERTAIN HEAVY SLOW MOVING MOTOR PROPELLED VEHICLES FROM THE OPERATION OF THE MOTOR VEHICLE LAWS.

Emergency preamble.

Whereas, The deferred operation of this act would tend to defeat its purpose, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

G. L. 90, § 1, etc., amended.

SECTION 1. Section one of chapter ninety of the General Laws, as most recently amended by section one of chapter three hundred and thirty-two of the acts of nineteen hundred and thirty, is hereby further amended by striking out the paragraph defining "Motor vehicles", as appearing in said section one of said chapter three hundred and thirty-two, and inserting in place thereof the following: —

"Motor vehicles", definition.

"Motor vehicles", automobiles, semi-trailer units, motor cycles and all other vehicles propelled by power other than muscular power, except railroad and railway cars and motor vehicles running only upon rails or tracks, road rollers, street sprinklers, snow loaders, power excavators, power graders and concrete mixers.

G. L. 90, § 1A, etc., amended.

SECTION 2. Said chapter ninety is hereby further amended by striking out section one A, inserted by section one of chapter three hundred and forty-six of the acts of nineteen hundred and twenty-five and as most recently amended by section two of said chapter three hundred and thirty-two, and inserting in place thereof the following: —

Applications for registration of certain motor vehicles or

Section 1A. No motor vehicle or trailer, except one owned by a person, firm or corporation, for the operation of which

security is required to be furnished under section forty-six of chapter one hundred and fifty-nine, or one owned by any other corporation subject to the supervision and control of the department of public utilities or by a street railway company under public control, or by the commonwealth or any political subdivision thereof, shall be registered under sections two to five, inclusive, unless the application therefor is accompanied by a certificate as defined in section thirty-four A. Ambulances, fire engines and apparatus, police patrol wagons and other vehicles used by the police department of any city or town or park board solely for the official business of such department or board (whether or not owned as aforesaid) shall not be subject to the requirements of this section.

trailers to be accompanied by certificate as to motor vehicle liability policy, bond or deposit, etc.

Certain motor vehicles not subject to requirements of section.

SECTION 3. Section two of said chapter ninety, as most recently amended by section three of said chapter three hundred and thirty-two, is hereby further amended by striking out the seventh paragraph and inserting in place thereof the following: —

G. L. 90, § 2, etc., amended.

The registrar shall furnish at his office, without charge, to every person whose vehicle is registered under this chapter, two number plates of suitable design, each number plate to have displayed upon it the register number assigned to that vehicle; provided, that number plates assigned to ambulances, fire engines and apparatus, police patrol wagons and other vehicles used by the police department of any city or town or park board solely for the official business of such department or board may be of a distinctive type or types. The number plates so furnished shall, except as provided by section nine, be valid only for the year for which they are issued.

Number plates for motor vehicles, furnishing, etc.

Proviso.

SECTION 4. Section ten of said chapter ninety, as most recently amended by section four of said chapter three hundred and thirty-two, is hereby further amended by striking out the last sentence.

G. L. 90, § 10, etc., amended.

SECTION 5. Section thirty-three of said chapter ninety, as most recently amended by chapter three hundred and ninety-one of the acts of nineteen hundred and thirty, is hereby further amended by striking out the paragraph, inserted by section five of said chapter three hundred and thirty-two, and inserting in place thereof the following: —

G. L. 90, § 33, etc., amended.

For the registration of every ambulance, fire engine or apparatus, police patrol wagon or other vehicle used by the police department of any city or town or park board solely for the official business of such department or board, no fee shall be collected hereunder.

No fee for registration of certain ambulances, fire engines, etc.

Approved February 20, 1931.

Chap. 48 AN ACT AUTHORIZING THE TOWN OF WALPOLE TO ERECT A MEMORIAL BUILDING ON CERTAIN LAND OF SAID TOWN USED FOR PARK PURPOSES.

Be it enacted, etc., as follows:

Town of Walpole may erect a memorial building on certain land of said town used for park purposes.

SECTION 1. The town of Walpole is hereby authorized to use as a site for a memorial building and its appurtenances so much of certain land on Stone street in said town, owned by said town and used for park purposes, as the committee for the erection of the said building, appointed under authority of a vote taken at a meeting of said town held September twenty-fifth, nineteen hundred and thirty, may, subject to the approval of the voters of said town as specified in said vote, determine; and may erect such a building thereon, to which the limitation as to ground area contained in section seven of chapter forty-five of the General Laws shall not apply.

Action taken and votes passed at certain town meeting validated and confirmed.

SECTION 2. The action taken and votes passed by said town at said meeting in relation to said building, in so far as the same may have been invalid by reason of the provisions of said chapter forty-five, are hereby validated and confirmed.

SECTION 3. This act shall take effect upon its passage.

Approved February 20, 1931.

Chap. 49 AN ACT RELATIVE TO GLASS BOTTLES OR JARS INTENDED TO BE USED IN THE SALE OF LUBRICATING OILS.

Be it enacted, etc., as follows:

G. L. 98, new section after § 14.

Manufacture of glass bottles or jars intended to be used in the sale of lubricating oils, regulated.

Chapter ninety-eight of the General Laws is hereby amended by inserting after section fourteen the following new section: — *Section 14A.* Glass bottles or jars intended to be used in the sale of lubricating oil shall be made of clear, uncolored glass and shall be manufactured only in the following capacities: two quarts, one quart, or one pint, Massachusetts standard liquid measure. Each bottle or jar shall have its capacity clearly blown in the glass and shall be sealed by the manufacturer thereof, as hereinafter provided, or by a sealer of the town where the user resides or has a usual place of business. The director shall prescribe regulations, including specifications and tolerances, governing the sealing of such bottles or jars by the manufacturer and may authorize such sealing by any manufacturer upon his written agreement to comply with such regulations. The director may at any time, for cause, revoke the authority so given by him to any manufacturer. When sealed by the manufacturer, such bottles or jars shall have clearly blown therein his name, initials or trade mark, and any other designating marks which the director may authorize or require. The sealing of such bottles or jars by the manufacturer shall not exempt the user from the laws relating to

the giving of false or insufficient measure, the using of a false measure, or having in his possession a false measure with intent to use. Sealers of the town where the user resides or has a usual place of business shall at least annually inspect bottles or jars marked and sealed in accordance with this section and shall make a record of such inspections. When once sealed as herein required, such bottles and jars need not again be sealed while in the same condition as when first sealed. Inspection.

Approved February 20, 1931.

An Act authorizing the trustees of the public library of the city of Boston to take and hold additional real and personal property. *Chap.* 50

Be it enacted, etc., as follows:

Section two of chapter one hundred and fourteen of the acts of eighteen hundred and seventy-eight, as amended by chapter one hundred and sixteen of the Special Acts of nineteen hundred and nineteen, is hereby further amended by striking out, in the third line, the word "ten" and inserting in place thereof the word: — twenty, — so as to read as follows: — *Section 2.* Said corporation shall have authority to take and hold real and personal estate to an amount not exceeding twenty million dollars, which may be given, granted, bequeathed or devised to it, and accepted by the trustees for the benefit of the public library of the city of Boston or any branch library, or any purpose connected therewith. Money received by it shall be invested by the treasurer of the city of Boston under the direction of said corporation; and all securities belonging to said corporation shall be placed in the custody of said treasurer: *provided, always,* that both the principal and income thereof shall be invested and appropriated according to the terms of the donation, devise or bequest. 1878, 114, § 2, etc., amended. Trustees of the Public Library of the City of Boston may take and hold additional real and personal property. Proviso.

Approved February 20, 1931.

An Act authorizing the county commissioners of Worcester county to construct a county highway in the towns of Boylston and West Boylston. *Chap.* 51

Be it enacted, etc., as follows:

Section 1. The county commissioners of the county of Worcester are hereby authorized to lay out and construct a county highway in the towns of Boylston and West Boylston in said county, from a point in the so-called Worcester-Clinton road in that part of Boylston known as Morningdale to a point in Brier lane at or near the so-called Hunting place in said town of West Boylston; and for such purpose said commissioners may exercise all the powers conferred by general law relative to the laying out and construction of highways to the same extent as if they had adjudicated Worcester county commissioners may lay out and construct a county highway in towns of Boylston and West Boylston, etc.

that common convenience and necessity required the same upon proceedings instituted under chapter eighty-two of the General Laws and the provisions of said chapter shall apply to such laying out and construction except as herein otherwise provided.

Expenditure.

SECTION 2. For the purposes of section one, the said commissioners, on behalf of the county of Worcester, may expend from the county appropriations for highways authorized in the years nineteen hundred and thirty-one and nineteen hundred and thirty-two, or either of said years, sums not exceeding, in the aggregate, fifty thousand dollars; or they may borrow for said purposes, on the credit of the county, sums not exceeding said aggregate amount, and may issue notes of the county therefor, payable in not more than one year from their respective dates of issue, subject to the provisions of chapter thirty-five of the General Laws. Said notes shall be signed by the treasurer of said county and countersigned by the said commissioners. Any sum or sums heretofore or hereafter expended by said commissioners in their capacity as trustees for the Worcester county tuberculosis hospital district on account of any work heretofore or hereafter done in the laying out or construction of such way shall be repaid to said district by said commissioners from the funds appropriated or raised as aforesaid; and all sums so repaid shall be applied to the costs of construction of said hospital or to the payment of loans issued to meet such costs.

Submission to Worcester county commissioners, etc.

SECTION 3. This act shall take effect upon its acceptance during the current year by the county commissioners of the county of Worcester, but not otherwise.

Approved February 20, 1931.

Chap. 52 AN ACT AUTHORIZING THE MUSEUM OF FINE ARTS TO HOLD ADDITIONAL REAL AND PERSONAL ESTATE.

Be it enacted, etc., as follows:

Museum of Fine Arts may hold additional real and personal estate.

SECTION 1. In addition to the land from time to time owned and occupied by the Museum of Fine Arts and the buildings erected or which may be erected thereon and the works of art from time to time contained therein, said corporation may receive by gift, devise, bequest or otherwise, and may hold and use for the purposes for which it was incorporated, real and personal estate to an amount not exceeding twenty million dollars.

Certain inconsistent provisions repealed.

SECTION 2. So far as inconsistent with the provisions of section one of this act, section one of chapter five hundred and forty-one of the acts of nineteen hundred and twelve, chapter one hundred and seven of the Special Acts of nineteen hundred and nineteen and chapter sixty-one of the acts of nineteen hundred and twenty-five are hereby repealed.

Approved February 20, 1931.

An Act relative to the salary of the mayor of the city of Peabody. *Chap.* 53

Be it enacted, etc., as follows:

Section 1. Section eight of chapter three hundred of the Special Acts of nineteen hundred and sixteen is hereby amended by striking out, in the third line, the words "two thousand" and inserting in place thereof the words: — thirty-five hundred, — so as to read as follows: — *Section 8.* The mayor shall receive for his services such salary as the city council by ordinance shall determine, not exceeding thirty-five hundred dollars a year, and he shall receive no other compensation from the city. His salary shall not be increased or diminished during the term for which he is elected. The council may, by a two thirds vote of all its members, taken by call of the yeas and nays, establish a salary for its members not exceeding two hundred and fifty dollars each a year. Such salary may be reduced, but no increase therein shall be made to take effect during the year in which the increase is voted.

1916 (S), 300, § 8, amended.

Mayor, salary.

Council, salary.

Section 2. The city of Peabody may, by ordinance duly passed and adopted during the current year, increase the salary of the mayor of said city to a sum not in excess of the maximum salary set forth in section eight of chapter three hundred of the Special Acts of nineteen hundred and sixteen, as amended by section one of this act, and the salary as so increased shall become effective on the first Monday of January, nineteen hundred and thirty-two, notwithstanding any provisions to the contrary in said section eight, as so amended.

Salary of mayor may be increased by ordinance, etc.

Section 3. This act shall be submitted for acceptance to the registered voters of the city of Peabody at its next regular city election in the form of the following question which shall be placed upon the official ballot to be used at said election: "Shall an act passed by the general court in the year nineteen hundred and thirty-one, entitled 'An Act relative to the salary of the mayor of the city of Peabody', be accepted?" If a majority of the voters voting thereon vote in the affirmative in answer to said question, this act shall thereupon take effect, but not otherwise.

Submission to voters, etc.

Approved February 20, 1931.

An Act authorizing the town of Stoughton to borrow money for sewerage purposes. *Chap.* 54

Be it enacted, etc., as follows:

Section 1. For the purpose of constructing a system of sewers, the town of Stoughton may from time to time, within a period of five years from the passage of this act, borrow such sums as may be necessary, not exceeding, in the aggregate, two hundred and fifty thousand dollars, and

Town of Stoughton may borrow money for sewerage purposes.

Stoughton Sewerage Loan, Act of 1931.

may issue bonds or notes therefor, which shall bear on their face the words, Stoughton Sewerage Loan, Act of 1931. Each authorized issue shall constitute a separate loan, and such loans shall be payable in not more than thirty years from their dates. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall, except as provided herein, be subject to chapter forty-four of the General Laws, including the limitation contained in the first paragraph of section seven thereof as revised by chapter three hundred and twenty-four of the acts of nineteen hundred and twenty-eight.

SECTION 2. This act shall take effect upon its passage.

Approved February 21, 1931.

Chap. 55 AN ACT AUTHORIZING THE TOWN OF BRAINTREE TO BORROW MONEY FOR SCHOOL PURPOSES.

Be it enacted, etc., as follows:

Town of Braintree may borrow money for school purposes.

SECTION 1. For the purpose of constructing new school buildings and/or additions to school buildings where such additions increase the floor space, and of originally equipping and furnishing said buildings and/or additions, the town of Braintree may borrow from time to time, within a period of five years from the passage of this act, such sums as may be necessary, not exceeding, in the aggregate, six hundred and fifty thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Braintree School Loan, Act of 1931. Each authorized issue shall constitute a separate loan, and such loans shall be paid in not more than fifteen years from their dates, but no issue shall be authorized under this act unless a sum equal to an amount not less than ten per cent of such authorized issue is voted for the same purpose to be raised by the tax levy of the year when authorized. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall, except as provided herein, be subject to chapter forty-four of the General Laws, exclusive of the limitation contained in the first paragraph of section seven thereof, as revised by chapter three hundred and twenty-four of the acts of nineteen hundred and twenty-eight.

Braintree School Loan, Act of 1931.

SECTION 2. This act shall take effect upon its passage.

Approved February 21, 1931.

Chap. 56 AN ACT AUTHORIZING THE COUNTY OF WORCESTER TO PROVIDE ADEQUATE ACCOMMODATIONS FOR THE CENTRAL DISTRICT COURT OF WORCESTER, THE WORCESTER DISTRICT REGISTRY OF DEEDS AND CERTAIN OTHER COUNTY ACTIVITIES.

Be it enacted, etc., as follows:

Worcester county commissioners may provide adequate accom-

SECTION 1. For the purpose of providing accommodations and facilities in the city of Worcester for the central district court of Worcester and additional accommodations

and facilities for the Worcester district registry of deeds and other county departments now housed in the court house at said Worcester, the county commissioners of Worcester county may erect on land owned by said county in said Worcester and westerly of the present court house therein, a suitable building for the purposes aforesaid, and may equip and furnish the same. modations for the central district court of Worcester, etc.

Section 2. For the purposes aforesaid, the treasurer of said county, with the approval of the county commissioners, may borrow from time to time on the credit of the county, such sums as may be necessary, not exceeding, in the aggregate, four hundred thousand dollars, and may issue bonds or notes of the county therefor, which shall bear on their face the words, Worcester County Court House Loan, Act of 1931. Each authorized issue shall constitute a separate loan, and such loans shall be payable in not more than ten years from their dates. Such bonds or notes shall be signed by the treasurer of the county and countersigned by a majority of the county commissioners. The county may sell the said securities at public or private sale upon such terms and conditions as the county commissioners may deem proper, but not for less than their par value. Indebtedness incurred under this act shall, except as herein provided, be subject to chapter thirty-five of the General Laws. County treasurer may borrow money, etc. Worcester County Court House Loan, Act of 1931.

Section 3. This act shall take effect upon its acceptance during the current year by the county commissioners of said county, but not otherwise. Submission to Worcester county commissioners, etc.

Approved February 21, 1931.

An Act requiring reports by trial justices to the board of probation. *Chap.* 57

Be it enacted, etc., as follows:

Section 1. Section ninety-nine of chapter two hundred and seventy-six of the General Laws, as appearing in section one of chapter one hundred and seventy-nine of the acts of nineteen hundred and twenty-nine, is hereby amended by inserting after the word "officers" in the second line the words: — and of reports from trial justices, — so as to read as follows: — *Section 99.* The board of probation shall prescribe the form of all records and of all reports from probation officers and of reports from trial justices, and shall make rules for the registration of reports and for the exchange of information between the courts. It shall provide for such organization and co-operation of the probation officers in the several courts as may seem advisable. To promote co-ordination in the probation work of the courts, the board may call a conference of any or all of the justices of the district courts and the Boston juvenile court, or a conference of any or all of the probation officers and assistant probation officers, and a member of the board shall G. L. 276, § 99, amended. Board of probation, powers and duties.

preside. With the approval of the board, the commissioner of correction or the department of public welfare may hold a conference with any or all of the probation officers to secure their co-operation in keeping trace of the whereabouts of persons who are at liberty from the prisons of the commonwealth. The traveling expenses of said justices or officers in attending any conference herein named shall be paid as the other expenses of the respective courts are paid.

G. L. 276, § 100, amended.

Section 2. Section one hundred of said chapter two hundred and seventy-six, as appearing in said section one of said chapter one hundred and seventy-nine, is hereby amended by inserting after the word "court" in the fifth line the words: —, and trial justices shall transmit to the board reports of cases coming before them in such form and at such times as the board may require, — so as to read as follows: — *Section 100.* Every probation officer, or the chief or senior probation officer of a court having more than one probation officer, shall transmit to the board of probation, in such form and at such times as it shall require, detailed reports regarding the work of probation in the court, and trial justices shall transmit to the board reports of cases coming before them in such form and at such times as the board may require, and the commissioner of correction, the penal institutions commissioner of Boston and the county commissioners of counties other than Suffolk shall transmit to the board, as aforesaid, detailed and complete records relative to all paroles and permits to be at liberty granted or issued by them, respectively, to the revoking of the same and to the length of time served on each sentence to imprisonment by each prisoner so released specifying the institution where each such sentence was served; and under the direction of the board a record shall be kept of all such cases as the board may require for the information of the justices and probation officers. Police officials shall co-operate with the board and the probation officers in obtaining and reporting information concerning persons on probation. The information so obtained and recorded shall be accessible at all times to the justices and officers of the courts, to the police commissioner of Boston, and to all chiefs of police and city marshals. The commissioner of correction and the department of public welfare shall at all times give to the board and the probation officers such information as may be obtained from the records concerning prisoners under sentence or who have been released.

Probation officers, trial justices, and certain other public officers to transmit to board detailed reports of probation work, cases coming before them, paroles, permits to be at liberty, etc.

Record of certain cases to be kept, etc.

Police officials to co-operate.

Accessibility of information.

Information by commissioner of correction and department of public welfare.

Approved February 21, 1931.

Chap. 58 An Act authorizing the town of Wakefield to borrow money for school purposes.

Be it enacted, etc., as follows:

Town of Wakefield may borrow money for school purposes.

Section 1. For the purpose of constructing a school building and originally equipping and furnishing the same, the town of Wakefield may borrow from time to time, within

a period of five years from the passage of this act, such sums as may be necessary, not exceeding, in the aggregate, three hundred thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Wakefield School Loan, Act of 1931. Each authorized issue shall constitute a separate loan, and such loans shall be paid in not more than fifteen years from their dates, but no issue shall be authorized under this act unless a sum equal to an amount not less than ten per cent of such authorized issue is voted for the same purpose to be raised by the tax levy of the year when authorized. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall, except as provided herein, be subject to chapter forty-four of the General Laws, exclusive of the limitation contained in the first paragraph of section seven thereof, as revised by chapter three hundred and twenty-four of the acts of nineteen hundred and twenty-eight.

Wakefield School Loan, Act of 1931.

Section 2. This act shall take effect upon its passage.

Approved February 24, 1931.

An Act authorizing the borrowing of additional money for the construction of the new house of correction for Middlesex county. *Chap.* 59

Be it enacted, etc., as follows:

Section 1. Section two of chapter three hundred and eighty-one of the acts of nineteen hundred and twenty-nine is hereby amended by inserting after the word "million" in the fifth line the words: — two hundred and fifty thousand, — so as to read as follows: — *Section 2.* For the purpose aforesaid, the county treasurer of said county, with the approval of the county commissioners, may borrow from time to time, on the credit of said county, such sums as may be necessary, not exceeding, in the aggregate, one million two hundred and fifty thousand dollars, and may issue bonds or notes of the county therefor, which shall bear on their face the words, Middlesex County House of Correction Loan, Act of 1929. Each authorized issue shall constitute a separate loan, and such loans shall be payable in not more than ten years from their dates. Such bonds or notes shall be signed by the treasurer of the county and countersigned by a majority of the county commissioners. The county may sell the said securities at public or private sale upon such terms and conditions as the county commissioners may deem proper, but not for less than their par value. Indebtedness incurred under this act shall, except as herein provided, be subject to chapter thirty-five of the General Laws.

1929, 381, § 2, amended.

County treasurer may borrow additional money, issue bonds, etc., for construction of new house of correction for Middlesex county.

Middlesex County House of Correction Loan, Act of 1929.

Section 2. This act shall take effect upon its acceptance during the current year by the county commissioners of Middlesex county, but not otherwise.

Submission to Middlesex county commissioners, etc.

Approved February 24, 1931.

Chap. 60 AN ACT FURTHER EXTENDING THE TIME DURING WHICH CERTAIN PERSONS SUFFERING FROM PULMONARY TUBERCULOSIS MAY RECEIVE TEMPORARY CARE AND TREATMENT AT CERTAIN INSTITUTIONS.

Emergency preamble.

Whereas, The deferred operation of this act would in part defeat its purpose, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public health and convenience.

Be it enacted, etc., as follows:

1928, 385, § 1, etc., amended.

Section one of chapter three hundred and eighty-five of the acts of nineteen hundred and twenty-eight, as amended by chapter fifty-two of the acts of nineteen hundred and thirty, is hereby further amended by striking out, in the fourth line, the word "thirty-one" and inserting in place thereof the word: — thirty-two, — so as to read as follows: —

Temporary care and treatment of residents of certain counties suffering from pulmonary tuberculosis.

Section 1. The department of public health may arrange for the admission, care and treatment, for periods not extending beyond June thirtieth, nineteen hundred and thirty-two, at any institution within the commonwealth approved by the department, of persons suffering from pulmonary tuberculosis who are residents of any of the cities or towns comprising the territory of the Worcester county or Middlesex county tuberculosis hospital district or of the tuberculosis hospital district comprising Chelsea, Revere and Winthrop, and such arrangements shall be deemed to be satisfactory compliance with the provisions of sections seventy-eight to ninety, inclusive, of chapter one hundred and eleven of the General Laws requiring adequate hospital care for such persons.

Approved February 26, 1931.

Chap. 61 AN ACT AUTHORIZING THE CITY OF CHICOPEE TO BORROW MONEY FOR BRIDGE PURPOSES.

Be it enacted, etc., as follows:

City of Chicopee may borrow money for bridge purposes.

SECTION 1. For the purpose of constructing a bridge of stone or concrete or of iron superstructure to replace the present wooden bridge over the Chicopee river and for street construction necessary for proper approaches to the bridge, the city of Chicopee may borrow from time to time, within a period of five years from the passage of this act, such sums as may be necessary, not exceeding, in the aggregate, two hundred and fifty thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words,

Chicopee Bridge Loan, Act of 1931.

Chicopee Bridge Loan, Act of 1931. Each authorized issue shall constitute a separate loan, and such loans shall be paid in not more than fifteen years from their dates, but no issue shall be authorized under this act unless a sum equal to an amount not less than ten per cent of such authorized issue is voted for the same purpose to be raised by the tax levy of the year when authorized. Indebtedness incurred under this

act shall be in excess of the statutory limit but shall, except as provided herein, be subject to chapter forty-four of the General Laws, exclusive of the limitation contained in the first paragraph of section seven thereof as revised by chapter three hundred and twenty-four of the acts of nineteen hundred and twenty-eight.

Section 2. This act shall take effect upon its passage.

Approved February 26, 1931.

An Act relative to the classification of certain manufacturing or storage risks of mutual fire insurance companies. *Chap.* 62

Be it enacted, etc., as follows:

Section eighty of chapter one hundred and seventy-five of the General Laws, as amended by chapter one hundred and sixty of the acts of nineteen hundred and twenty-one, by chapter one hundred and fifteen of the acts of nineteen hundred and twenty-six and by section one of chapter thirty-four of the acts of nineteen hundred and twenty-nine, is hereby further amended by inserting after the word "risks" in the fourteenth line the words: — , or manufacturing or storage risks confined to lumber and woodworking only, — so that the first paragraph of said section eighty will read as follows: — *Section 80.* From time to time the directors of a mutual fire company may by vote fix and determine the percentages of dividend or expiration return of premium to be paid on expiring or cancelled policies which may, in their discretion, and with the written approval of the commissioner, and upon such conditions, if any, as he may prescribe, be different for policies insuring for the same term against the different kinds of risks mentioned in the several provisions of the clause or clauses of section forty-seven under which such a company may transact business; and the percentage aforesaid for fire policies insuring farm risks, fireproof risks, including risks equipped with automatic sprinkler and fire alarm systems, or manufacturing or storage risks, or manufacturing or storage risks confined to lumber and woodworking only, may in like manner be different from that for policies insuring other risks against fire for the same term. Policies insuring risks in this commonwealth in the same classification shall have an equal rate of dividend or return of premium. If an assessment is levied under section eighty-three the rate thereof may be different for policies insuring risks in any classification from that for policies insuring other classifications of risks for the same term; but policies insuring risks in the same classification shall have the same rate of assessment, and all funds of the company, actual and contingent, shall be available for the payment of any claim against it. Every policy placed in any classification made under this section shall, when issued, bear an endorsement, satisfactory to the commissioner, to the effect that it is so classified.

G. L. 175, § 80, etc., amended.

Mutual fire insurance companies, classification of kinds of business written for purpose of apportioning dividends, etc.

Approved February 26, 1931.

Chap. 63 AN ACT TO GRANT TO THE MARINE CORPS LEAGUE CERTAIN PRIVILEGES GRANTED TO OTHER WAR VETERANS' ORGANIZATIONS.

Be it enacted, etc., as follows:

G. L. 33, § 60, etc., amended.

SECTION 1. Section sixty of chapter thirty-three of the General Laws, as appearing in chapter four hundred and sixty-five of the acts of nineteen hundred and twenty-four and as most recently amended by chapter seventy-two of the acts of nineteen hundred and thirty, is hereby further amended by inserting after the word "States" in the thirty-third line the words: — and regularly organized detachments of the Marine Corps League, — so as to read as follows: —

Unauthorized drilling with firearms, etc., forbidden, except, etc.

Section 60. No body of men, except the volunteer militia, the troops of the United States and the Ancient and Honorable Artillery Company of Boston, except as provided in the following section, shall maintain an armory, or associate together at any time as a company or organization, for drill or parade with firearms, or so drill or parade; nor shall any town raise or appropriate money toward arming, equipping, uniforming, supporting or providing drill rooms or armories for any such body of men; provided, that associations wholly composed of soldiers honorably discharged from the service of the United States may parade in public with arms, upon the reception of any regiment or company of soldiers returning from said service, and for escort duty at the burial of deceased soldiers, with the written permission of the aldermen of the city or selectmen of the town where they desire to parade; that students in educational institutions where military science is a prescribed part of the course of instruction may, with the consent of the governor, drill and parade with firearms in public, under the superintendence of their teachers; that members of schools for military instruction conducted with the approval of the governor, may drill and parade with firearms in public, under the supervision of their instructors; that foreign troops whose admission to the United States has been consented to by the United States government may, with the consent of the governor, drill and parade with firearms in public; and any body of men may, with the consent of the governor, drill and parade in public with any harmless imitation of firearms approved by the adjutant general; that regularly organized posts of the Grand Army of the Republic, and of The American Legion, and regularly organized camps of the United Spanish War Veterans and regularly organized posts of the Veterans of Foreign Wars of the United States and regularly organized detachments of the Marine Corps League may drill and parade with firearms in public, under the supervision of their duly authorized officers; that the Kearsarge Association of Naval Veterans, Inc., may at any time parade in public their color guards of not more than twelve men armed with firearms, that the Society of Colonial Wars in the Common-

Proviso.

wealth of Massachusetts, the Order of the Founders and Patriots of America, the Massachusetts Society of the Sons of the American Revolution, the Society of the Sons of the Revolution in the Commonwealth of Massachusetts, the Society of the War of 1812 in the Commonwealth of Massachusetts, and regularly organized branches of any of said societies may at any time parade in public their uniformed color guards of ten men with firearms; that regularly organized camps of the Sons of Veterans may at any time parade in public their color guards of ten men with firearms; and that any organization heretofore authorized by law may parade with side-arms; and any veteran association composed wholly of past members of the militia of the commonwealth may maintain an armory for the use of the organizations of the militia to which its members belonged; provided, that such drill or parade is not in contravention of the laws of the United States.

Proviso.

G. L. 40, § 5, cl. (12), etc., amended.

Section 2. Section five of chapter forty of the General Laws, as most recently amended in clause (12) by section two of chapter forty-one of the acts of the current year, is hereby further amended by striking out said clause (12) and inserting in place thereof the following: — (12) For erecting headstones or other monuments at the graves of persons who served in the war of the revolution, the war of eighteen hundred and twelve, the Seminole war, the Mexican war or the war of the rebellion or who served in the military or naval service of the United States in the Spanish American war or in the World war; for acquiring land by purchase or by eminent domain under chapter seventy-nine, purchasing, erecting, equipping or dedicating buildings, or constructing or dedicating other suitable memorials, for the purpose of properly commemorating the services and sacrifices of persons who served as aforesaid; for the decoration of the graves, monuments or other memorials of soldiers, sailors and marines who served in the army, navy or marine corps of the United States in time of war or insurrection and the proper observance of Memorial Day and other patriotic holidays under the auspices of the local posts of the Grand Army of the Republic, United Spanish War Veterans, The American Legion and the Veterans of Foreign Wars of the United States and under the auspices of the Kearsarge Association of Naval Veterans, Inc. and of local garrisons of the Army and Navy Union of the United States of America and of local chapters of the Massachusetts Society of the Sons of the American Revolution and of local detachments of the Marine Corps League and of a local camp of the Sons of Union Veterans of the Civil War in the case of a town in which there is no post of the Grand Army of the Republic; or for keeping in repair graves, monuments or other memorials erected to the memory of such persons or of its firemen and policemen who died from injuries received in the performance of their duties in the fire or police service or for decorating the graves of such firemen and policemen or for other memorial observ-

Cities and towns may appropriate money for decoration of soldiers' graves and for observance of Memorial Day and other patriotic holidays under auspices of certain war veterans' organizations, etc.

ances in their honor. Money appropriated in honor of such firemen may be paid over to, and expended for such purposes by, any veteran firemen's association or similar organization.

Approved February 26, 1931.

Chap. 64 AN ACT TO PROTECT PERSONS ENTITLED TO THE PROCEEDS OF LIFE INSURANCE AND ANNUITY POLICIES AND THE INCOME THEREFROM WHEN RETAINED BY FOREIGN LIFE INSURANCE COMPANIES.

Be it enacted, etc., as follows:

G. L. 175, § 119A, amended.

Section one hundred and nineteen A of chapter one hundred and seventy-five of the General Laws, inserted by chapter one hundred and sixty-eight of the acts of nineteen hundred and twenty-one, is hereby amended by striking out, in the fourth line, the word "domestic", — so as to read as follows: — *Section 119A.* If, under the terms of any annuity contract or policy of life insurance, or under any written agreement supplemental thereto, issued by any life company, the proceeds are retained by such company at maturity or otherwise, no person entitled to any part of such proceeds, or any instalment of interest due or to become due thereon, shall be permitted to commute, anticipate, encumber, alienate or assign the same, or any part thereof, if such permission is expressly withheld by the terms of such contract, policy or supplemental agreement; and if such contract, policy or supplemental agreement so provides, no payments of interest or of principal shall be in any way subject to such person's debts, contracts or engagements, nor to any judicial processes to levy upon or attach the same for payment thereof. No such company shall be required to segregate such funds but may hold them as a part of its general corporate funds.

Proceeds of life insurance and annuity policies and the income arising therefrom, persons entitled to, protected.

Approved February 26, 1931.

Chap. 65 AN ACT AUTHORIZING THE TOWN OF RUTLAND TO BORROW MONEY FOR WATER SUPPLY PURPOSES.

Be it enacted, etc., as follows:

Town of Rutland may borrow money for water supply purposes.

SECTION 1. For the purpose of extending its water mains and improving and enlarging its water distributing facilities, the town of Rutland may borrow, from time to time within five years from the passage of this act, such sums as may be necessary, not exceeding, in the aggregate, fifty thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Rutland Water Loan, Act of 1931. Each authorized issue shall constitute a separate loan, and such loans shall be paid in not more than twenty years from their dates. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall, except as herein provided, be subject to chapter forty-four of the General Laws.

Rutland Water Loan, Act of 1931.

SECTION 2. This act shall take effect upon its passage.

Approved March 3, 1931.

An Act prohibiting, during certain months of the year, the use of beam or otter trawls in taking fish from certain waters of Nantucket Sound. *Chap.* 66

Be it enacted, etc., as follows:

Section 1. It shall be unlawful during the months of April, May and June for any person to use beam or otter trawls to drag for fish in that part of the waters of Nantucket Sound bounded as follows: Beginning at Great Point in the town of Nantucket, thence by an imaginary line to Monomoy Point in the town of Chatham, thence following shore line around and to Succonnesset Point in the town of Mashpee, thence by an imaginary line to Cape Pogue in the town of Edgartown, thence by an imaginary line to Eel Point in the town of Nantucket, thence by shore line to the said Great Point. Use of beam or otter trawls in taking fish from certain waters of Nantucket Sound prohibited during certain months of year.

Section 2. Violation of this act shall be punished by a fine of not less than twenty-five nor more than fifty dollars. Penalty.

Section 3. This act shall take effect upon its passage.

Approved March 3, 1931.

An Act relative to the taking of smelts from the waters of Weweantic river within the town of Wareham by means of nets. *Chap.* 67

Be it enacted, etc., as follows:

Section 1. The selectmen of the town of Wareham may grant permits to inhabitants of the towns of Wareham, Rochester, Marion and Mattapoisett authorizing the taking of smelts, between March first and April first, both dates inclusive, from the waters of Weweantic river within the limits of said town of Wareham, by means of nets, under such regulations as the said selectmen may deem advisable; provided, that such a net shall not contain more than five square feet of net surface. Any person taking smelts during said period from said waters by means of nets shall not be subject to the provisions of section sixty-seven or sixty-nine of chapter one hundred and thirty of the General Laws if such smelts are taken as authorized hereunder, otherwise he shall be subject to such provisions. Taking of smelts from waters of Weweantic river within the town of Wareham by means of nets, authorized. Proviso.

Section 2. This act shall take effect upon its passage.

Approved March 3, 1931.

An Act relative to the borrowing of money for the construction of a sewerage system in the town of Falmouth. *Chap.* 68

Be it enacted, etc., as follows:

Section 1. Chapter two hundred and eighty-eight of the acts of nineteen hundred and twenty-eight is hereby amended by striking out section six and inserting in place thereof the 1928, 288, § 6, amended.

Town of Falmouth may borrow money, issue bonds, etc., for construction of a sewerage system.

following: — *Section 6.* For the purpose of paying the necessary expenses and liabilities incurred or to be incurred by said town under this act, it may borrow from time to time, within a period of five years after this act is accepted, such sums as may be necessary, not exceeding, in the aggregate, one hundred and fifty thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Falmouth Sewer Loan, Act of 1928. Each authorized issue shall constitute a separate loan, and such loans shall be paid in not more than thirty years from their dates. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall, except as provided herein, be subject to chapter forty-four of the General Laws, including the limitation contained in the first paragraph of section seven thereof, as revised by chapter three hundred and twenty-four of the acts of nineteen hundred and twenty-eight.

Falmouth Sewer Loan, Act of 1928.

SECTION 2. This act shall take effect upon its passage.

Approved March 3, 1931.

Chap. 69 AN ACT AUTHORIZING THE CITY OF WORCESTER TO BORROW MONEY FOR THE PURPOSE OF STREET CONSTRUCTION, PERMANENT PAVING AND SIDEWALK CONSTRUCTION IN SAID CITY.

Be it enacted, etc., as follows:

City of Worcester may borrow money for purpose of street construction and permanent paving, etc.

SECTION 1. For the purposes of street construction and permanent paving in the city of Worcester, said city may borrow, from time to time within a period of two years from the passage of this act, such sums as may be necessary, not exceeding, in the aggregate, one million two hundred and fifty thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Worcester Street Improvement Loan, Act of 1931. Each authorized issue for the purposes aforesaid shall constitute a separate loan, and such loans shall be payable in not more than ten years from their dates. For the purpose of sidewalk construction of brick, stone, or concrete in the said city, said city may borrow, from time to time within a period of two years from the passage of this act, such sums as may be necessary, not exceeding, in the aggregate, two hundred and fifty thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Worcester Sidewalk Construction Loan, Act of 1931. Each authorized issue for such sidewalk construction shall constitute a separate loan, and such loans shall be payable in not more than five years from their dates. No loan shall be authorized under this act unless a sum equal to an amount not less than ten per cent of the loan so authorized is voted for the same purpose to be provided from taxes or other sources of revenue of the year when authorized. Indebtedness incurred under this act shall be in excess of the amount authorized by chapter two hundred and eleven of the Special Acts of nineteen hundred and sixteen,

Worcester Street Improvement Loan, Act of 1931.

May borrow money for purpose of sidewalk construction, etc.

Worcester Sidewalk Construction Loan, Act of 1931.

as amended by chapter one hundred and thirty-eight of the acts of nineteen hundred and twenty, but shall, except as provided herein, be subject to chapter forty-four of the General Laws.

Section 2. This act shall take effect upon its passage.

Approved March 3, 1931.

An Act providing for a finance committee in the town of Mansfield. *Chap.* 70

Be it enacted, etc., as follows:

Section 1. Section three of chapter five hundred and eighty-six of the acts of nineteen hundred and twenty is hereby amended by striking out, in the fifteenth line, the words "overseers of the poor" and inserting in place thereof the words: — the board of public welfare, — by striking out, in the eighteenth line, the words "overseers of the poor" and inserting in place thereof the words: — boards of public welfare, — and by striking out the last sentence, — so as to read as follows: — *Section 3.* Upon the election and qualification of the selectmen as provided in section two, all the powers, rights, duties and liabilities conferred or imposed by law upon the offices of water commissioners, municipal light board, board of fire engineers, board of health, sinking fund commissioners, auditors and tree warden shall be transferred to and conferred and imposed upon the selectmen, and the said offices shall be abolished. The aforesaid transfer of rights, powers, duties and liabilities shall not affect any liability incurred, contract made, fine, special assessment, rate, penalty, forfeiture or tax imposed before such transfer, nor any suit or other proceeding pending; and the selectmen elected hereunder shall in all respects and for all purposes whatsoever be the lawful successors of the said officers. The selectmen so elected and qualified shall also be the board of public welfare and surveyors of highways of the town, with all the powers and subject to all the duties conferred or imposed by law upon boards of public welfare and surveyors of highways.

1920, 586, § 3, amended.

Town of Mansfield, selectmen to be lawful successors of certain officers, etc.

Section 2. Said chapter five hundred and eighty-six is hereby further amended by inserting after section three, under the caption, *Finance Committee*, the following new section: — *Section 3A.* The selectmen shall appoint an unpaid finance committee, consisting of five suitably qualified citizens of the town, who shall be designated in their initial appointments to serve as follows: — one for the term of one year, two for the term of two years, and two for the term of three years, from the date of their respective appointments and until the qualification of their respective successors. Upon the expiration of the term of office of a member of said committee, his successor shall be appointed by the selectmen for a term of three years. The selectmen may remove, for cause, any member of said committee.

1920, 586, new section after § 3.

Finance committee, appointment, terms, etc.

Vacancy.

Any vacancy occurring in the membership of said committee shall be forthwith filled by the selectmen for the remainder of the unexpired term. The members of said committee shall, during their respective terms of office, be ineligible, either by appointment or by election, to any other town office. Said members shall be sworn to the faithful performance of their duties by the chairman of the selectmen or by any person authorized to administer oaths. The chairman of said committee shall, from time to time, be designated by the selectmen.

To be sworn.

Chairman.

1920, 586, § 4, amended.

SECTION 3. Section four of said chapter five hundred and eighty-six is hereby amended by striking out, in the second line, the word "selectmen" and inserting in place thereof the words: — finance committee, — so as to read as follows: — *Section 4.* On or before the thirty-first day of December of each year, the town manager shall submit to the finance committee a careful, detailed estimate in writing of the probable expenditures of the town government for the ensuing fiscal year, stating the amount required to meet the interest and maturing bonds and notes or other outstanding indebtedness of the town, and showing specifically the amount necessary to be provided for each fund and department. He shall also submit at the same time an estimate in writing of the amount of income from all sources of revenue, exclusive of taxes upon property, and of the probable amount required to be levied and raised by taxation to defray all expenses and liabilities of the town. For the purpose of enabling the town manager to make up the annual estimate of expenditures, all boards, officers, and committees of the town shall, upon his written request, furnish all information in their possession and submit to him in writing a detailed estimate of the appropriations required for the efficient and proper conduct of their respective departments during the next fiscal year.

Town manager to submit to finance committee estimate of expenditures, etc.

1920, 586, § 5, and its caption, amended.

SECTION 4. Said chapter five hundred and eighty-six is hereby further amended by striking out section five and its caption, and inserting in place thereof the following: —

Annual Report of the Finance Committee.

Finance committee to make annual report, etc.

Section 5. All articles in the warrants for the annual and special town meetings requiring the appropriation of money shall be considered by the finance committee, who shall report thereon in writing to the town in said meetings, with their recommendations. The finance committee shall make a report in writing to the annual town meeting, which shall be published as a part of the annual town report, making such recommendations regarding the finances of the town and action thereon as they deem proper. Said committee shall also have and perform such powers and duties as may from time to time be conferred or imposed by by-law of the town under section sixteen of chapter thirty-nine of the General Laws.

When initial appointments to finance committee shall be made.

Section 5. The initial appointments to said finance committee shall be made by the said selectmen not later than thirty days following the acceptance of this act as provided in section six.

Submission to voters, etc.

Section 6. This act shall take effect upon its acceptance by vote of said town at any town meeting in the current year; but, for the purposes of such acceptance, this act shall take effect upon its passage. *Approved March 3, 1931.*

An Act permitting fishing with hook and line for other than commercial purposes on the Lord's day. *Chap.* 71

Be it enacted, etc., as follows:

G. L. 136, § 17, amended.

Section seventeen of chapter one hundred and thirty-six of the General Laws is hereby amended by striking out, in the third line, the words "hook, line," — and by inserting after the word "spear" in said line the following: — , or attempts to take or catch any fish for commercial purposes by using a hook and line, — so as to read as follows: —

Penalty for discharging firearms, etc., on Lord's day.

Section 17. Whoever on the Lord's day discharges any firearm for sport or in the pursuit of game, or attempts to take or catch any fish by using any net or spear, or attempts to take or catch any fish for commercial purposes by using a hook and line, shall be punished by a fine of not more than ten dollars. Prosecutions hereunder shall be commenced within thirty days after the offence was committed.

Approved March 3, 1931.

An Act relative to the removal or placing underground of certain wires and electrical appliances in the city of Cambridge. *Chap.* 72

Be it enacted, etc., as follows:

1922, 428, § 2, amended.

Section 1. Section two of chapter four hundred and twenty-eight of the acts of nineteen hundred and twenty-two is hereby amended by adding at the end of the first paragraph the following: — ; until April first, nineteen hundred and thirty-three, for Binney street; First street; until June first, nineteen hundred and thirty-four, for Bridge street; Otis street; until August first, nineteen hundred and thirty-five, for the remainder of Putnam avenue; Green street, from Central square to Landsdowne street; until July first, nineteen hundred and thirty-six, for the remainder of River street; Inman street; until August first, nineteen hundred and thirty-seven, for Austin street; Oxford street; until August first, nineteen hundred and thirty-nine, for Concord avenue; until August first, nineteen hundred and forty, for Huron avenue from Garden street to Aberdeen avenue; until January first, nineteen hundred and forty-two, for Rindge avenue from Massachusetts avenue to Clifton street; Harvey street; Appian way; Linnaean street, — so that said

Orders specifying streets from which wires, etc., shall be removed in city of Cambridge.

first paragraph will read as follows: — *Section 2.* Within thirty days after this act becomes effective, and on or before January fifteenth in each year thereafter while this act shall remain in force, the city electrician, with the approval of the mayor, shall issue an order in writing to each person, firm or corporation affected by such order, specifying the streets or parts of streets from which all wires, cables and conductors, except those expressly exempted, shall be removed during the ensuing year. Except as hereinafter provided, in making such orders the city electrician shall proceed according to the following described plan, taking the streets in the order fixed and giving the said persons, firms and corporations until the respective dates specified for completing their work of removal from the said streets: Until January first, nineteen hundred and twenty-four, for Massachusetts avenue; until January first, nineteen hundred and twenty-five, for Cambridge street; until January first, nineteen hundred and twenty-six, for Main street; Western avenue; until January first, nineteen hundred and twenty-seven, for Magazine street, from Central square, about one thousand feet; River street, from Central square, about one thousand feet; Brattle street, from Eliot square to James street; Mount Auburn street, from Eliot square to Hawthorne street; Boylston street; Garden street from Massachusetts avenue to Chauncy street; Peabody street; Prospect street, from Cambridge street to Central square; until October first, nineteen hundred and twenty-eight, for Kirkland street; Mount Auburn street, from Putnam square to Eliot square; Putnam avenue, from Western avenue to Putnam square; Broadway; until January first, nineteen hundred and thirty, for Harvard street; Portland street; until January first, nineteen hundred and thirty-two, for Hampshire street; Beach street; Mount Auburn street, from Hawthorne street to Belmont line; Brattle street, from James street to Mount Auburn street; Magazine street; until April first, nineteen hundred and thirty-three, for Binney street; First street; until June first, nineteen hundred and thirty-four, for Bridge street; Otis street; until August first, nineteen hundred and thirty-five, for the remainder of Putnam avenue; Green street, from Central square to Landsdowne street; until July first, nineteen hundred and thirty-six, for the remainder of River street; Inman street; until August first, nineteen hundred and thirty-seven, for Austin street; Oxford street; until August first, nineteen hundred and thirty-nine, for Concord avenue; until August first, nineteen hundred and forty, for Huron avenue from Garden street to Aberdeen avenue; until January first, nineteen hundred and forty-two, for Rindge avenue from Massachusetts avenue to Clifton street; Harvey street; Appian way; Linnaean street.

Plan to be followed.

1922, 428, § 6, amended.

SECTION 2. Section six of said chapter four hundred and twenty-eight is hereby amended by inserting after the word "to" the first time it occurs in the second line the words: — trackless trolley or, — and by inserting after the word "of"

in the fifth line the words: — trackless trolley or, — so as to read as follows: — *Section 6.* This act shall not apply to long distance telephone wires, or to trackless trolley or railway trolley, guard or span wires, or to posts for the support of lamps exclusively, or to poles used exclusively for local distribution from underground wires, cables or conductors, or for the support of trackless trolley or railway trolley, guard or span wires, nor shall it revoke any rights already granted to any person, firm or corporation to place or maintain any conduits, pipes, wires, cables or conductors underground, but any such conduits, pipes, wires, cables or conductors laid hereafter in pursuance of any such grant shall be laid subject to such provisions of this act as are not inconsistent with said grant. For the purpose of this act, no wire, which is not connected with some central telephone office and does not extend twenty-five miles at least in a direct line from said central office, shall be deemed a long distance telephone wire.

Not to apply to certain wires, appliances, etc.

This act shall not apply to wires on a railroad right of way or to poles supporting the same outside the highway.

Approved March 3, 1931.

An Act to provide additional funds for the purpose of providing a hospital for the Middlesex county tuberculosis hospital district. *Chap.* 73

Be it enacted, etc., as follows:

Section 1. Section one of chapter three hundred and sixty-nine of the acts of nineteen hundred and twenty-eight, as amended by section one of chapter one hundred and seventy-five of the acts of nineteen hundred and thirty, is hereby further amended by inserting after the word "million" in the sixth line the words: — two hundred, — so as to read as follows: — *Section 1.* For the purpose of providing a tuberculosis hospital for the Middlesex county tuberculosis hospital district under the provisions of sections seventy-eight to ninety, inclusive, of chapter one hundred and eleven of the General Laws, the county commissioners of said county may raise and expend a sum not exceeding two million two hundred and fifty thousand dollars subject to the provisions of said sections.

1928, 369, § 1, etc., amended.

Middlesex county may raise and expend a certain sum to provide for a tuberculosis hospital for the Middlesex county tuberculosis hospital district.

Section 2. This act shall take effect upon its acceptance during the current year by the county commissioners of Middlesex county, but not otherwise.

Submission to Middlesex county commissioners, etc.

Approved March 3, 1931.

An Act authorizing the city of Cambridge to use as a site for a memorial building to soldiers, sailors and marines a certain parcel of land bounded by Cambridge street, Massachusetts avenue and Peabody street in said city. *Chap.* 74

Be it enacted, etc., as follows:

The city of Cambridge is hereby authorized to use as a site for a memorial building to soldiers, sailors and marines, to be

City of Cambridge may use as a site for a memorial

building to soldiers, sailors and marines a certain parcel of land bounded by Cambridge street, Massachusetts avenue and Peabody street in said city, etc.

constructed in accordance with such plans as shall be approved by the department of public utilities, a certain parcel of land in said city bounded by Cambridge street, Massachusetts avenue and Peabody street, free from all public rights and uses; except, however, that the use of said parcel shall be subject to the rights of the commonwealth acquired under chapter three hundred and fifty-three of the acts of nineteen hundred and twenty-nine, subject to the rights of the Boston Elevated Railway Company, its successors and assigns, under chapter five hundred and twenty of the acts of nineteen hundred and six, subject to an easement owned by the commonwealth for the construction, maintenance and operation of a subway, incline, approaches and connections for street railway purposes to and through said parcel to a connection with surface railway tracks all as now constructed or hereafter altered under the authority of said chapter five hundred and twenty, and subject to a contract for the use thereof by the Boston Elevated Railway Company as described in an instrument recorded with Middlesex south district deeds, book forty-eight hundred and forty, page seventy-two. *Approved March 3, 1931.*

Chap. 75 AN ACT RELATIVE TO THE EXEMPTION FROM LOCAL TAXATION OF CERTAIN PERSONAL PROPERTY.

Be it enacted, etc., as follows:

G. L. 59, § 5, cl. twentieth, etc., amended.

Section five of chapter fifty-nine of the General Laws, as most recently amended by sections nine and ten of chapter four hundred and sixteen of the acts of nineteen hundred and thirty, is hereby further amended by striking out clause twentieth and inserting in place thereof the following: —

Exemption from local taxation of certain personal property.

Twentieth, The wearing apparel, farming utensils and cash on hand of every person and the tools of his trade if a mechanic, to any amount; and to an amount not exceeding a total value of one thousand dollars in respect to all the articles hereinafter specified in this clause, his household furniture and effects, including jewelry, plate, works of art, musical instruments, radios and garage or stable accessories, used or commonly kept in or about the dwelling which is the place of his domicile, and boats, fishing gear and nets owned and actually used by him in the prosecution of his business if engaged exclusively in commercial fishing.

Approved March 3, 1931.

Chap. 76 AN ACT AUTHORIZING THE CITY OF LEOMINSTER TO BORROW MONEY FOR WATER SUPPLY PURPOSES.

Be it enacted, etc., as follows:

City of Leominster may borrow money for water supply purposes.

SECTION 1. For the purpose of enlarging and improving its water supply, including the improvement of its present reservoirs, the city of Leominster may borrow, from time to time within five years from the passage of this act, such

sums as may be necessary, not exceeding in the aggregate one hundred thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Leominster Water Loan, Act of 1931. Each authorized issue shall constitute a separate loan, and such loans shall be paid in not more than fifteen years from their dates. Indebtedness incurred hereunder shall be outside the statutory limit of indebtedness but shall, except as herein provided, be subject to the provisions of chapter forty-four of the General Laws. Leominster Water Loan, Act of 1931.

Section 2. This act shall take effect upon its passage.

Approved March 4, 1931.

An Act repealing certain provisions of law authorizing the American Woolen Company of Massachusetts to engage in the business of an electric company in the towns of Acton and Maynard. *Chap.* 77

Be it enacted, etc., as follows:

Chapter three hundred and fifty-four of the Special Acts of nineteen hundred and sixteen is hereby repealed. 1916 (S.), 354, repealed.

Approved March 4, 1931.

An Act authorizing the city of Medford to use the balance of the proceeds of a certain school loan for other school purposes. *Chap.* 78

Be it enacted, etc., as follows:

The city of Medford may use the balance of the proceeds of the school loan authorized by chapter two hundred and thirty-two of the acts of nineteen hundred and thirty for the purpose of acquiring land for and/or constructing elementary school buildings in any section of said city and originally equipping and furnishing said buildings. City of Medford may use the balance of the proceeds of a certain school loan for other school purposes.

Approved March 4, 1931.

An Act relative to the sale of lands of low value held by a city or town under tax titles. *Chap.* 79

Be it enacted, etc., as follows:

Section 1. Section seventy-nine of chapter sixty of the General Laws, as amended by section six of chapter two hundred and forty-one of the acts of nineteen hundred and twenty-five, is hereby further amended by striking out, in the fourth, eleventh, seventeenth, twentieth and twenty-fourth lines respectively, the word "collector" and inserting in place thereof in each instance the word: — treasurer, — so as to read as follows: — *Section 79.* After two years from the taking or purchase by a town of any lands for non-payment of taxes, the commissioner may, and on written application of its treasurer shall, inquire into the G. L. 60, § 79, etc., amended. Inquiry into value of lands taken, etc., for non-payment of taxes by a city or town.

value of such lands. If the commissioner is of opinion that such lands are of insufficient value to meet the taxes, interest and charges, and all subsequent taxes and assessments thereon, together with the expenses of a foreclosure under section sixty-nine, he shall make affidavit of such finding, which shall be recorded in the registry of deeds for the district where the town is situated.

Sale of such lands by treasurer.

Upon the recording thereof the treasurer may sell all the parcels included therein, severally or together, at public auction to the highest bidder, first giving notice of the time and place of sale by posting a notice of the sale in some convenient and public place in the town fourteen days at least before the sale. If the sale under this section shall not be made within four years from said taking or purchase, it shall be made by the treasurer for the time being when he deems best, or at once upon service on him of a written demand by any person interested therein. The treasurer shall execute and deliver to the highest bidder a deed, without covenant except that the sale has in all particulars been conducted according to law. Title taken pursuant to a sale under this section shall be absolute upon the recording of the deed of the treasurer in the proper registry of deeds within thirty days of its date.

Deed by treasurer.

Title, when to be absolute.

Disposition of surplus proceeds from such sales.

If the amount received from the sale is more than the taxes, interest and charges, and subsequent taxes and assessments, on all lands included in the sale, together with the expenses thereof, the balance shall be deposited with the town treasurer to be paid to the person entitled thereto, if demanded within five years, otherwise it shall enure to the town. If such surplus results from the sale of several parcels for a lump sum, it shall be held as aforesaid for the several owners in proportion to the prices at which the several parcels were originally taken or purchased by the town.

G. L. 60, § 80, etc., amended.

SECTION 2. Section eighty of said chapter sixty, as amended by section seven of said chapter two hundred and forty-one, is hereby further amended by striking out, in the second, third, seventh, ninth and thirteenth lines respectively, the word "collector" and inserting in place thereof in each instance the word: — treasurer, — so as to read as follows: — *Section 80.* If no person bids at such a sale and if the sale has been adjourned one or more times, the treasurer shall then and there make public declaration of the fact, and if no bid is then made he shall give public notice that he purchases for the town by which the tax is assessed; or if the person to whom the land is sold does not within ten days pay to the treasurer the sum bid by him the sale shall be void and the town shall be deemed to be the purchaser of the land. If the town becomes the purchaser hereunder, the treasurer shall execute to it a deed which shall set forth the fact that no bid was made at the sale or that the purchaser failed to pay the amount bid, as the case may be. The title of the town to land conveyed by deed of the

Proceedings upon lack of bids, etc., at sale of low valued lands taken, etc., for non-payment of taxes.

treasurer under this section shall be absolute upon the recording of said deed in the proper registry of deeds within thirty days of its date. *Approved March 4, 1931.*

An Act relative to the recording and registering of certified copies of certain instruments affecting land. *Chap.* 80

Be it enacted, etc., as follows:

Chapter thirty-six of the General Laws, as most recently amended in section thirteen by chapter two hundred and sixty-seven of the acts of nineteen hundred and thirty, is hereby further amended by striking out said section and inserting in place thereof the following: — *Section 13.* If a deed or other writing affecting land has been recorded in a registry of deeds or registered in a registry district of the land court, a copy thereof, duly certified by a proper official, may be recorded or registered in any county or registry district wherein the original might properly have been recorded or registered, and when so recorded or registered shall have the same effect as a record or registration of the original instrument; provided, however, that no such certified copy of such a record or registration, except of a declaration of trust as provided for in section seventy-two of chapter one hundred and eighty-five, shall be entitled to registration in any registry district of the land court until the same has first been approved for the purpose by a judge of the land court. *Approved March 4, 1931.*

G. L. 36, § 13, etc., amended.

Recording and registering of certified copies of certain instruments affecting land.

Proviso.

An Act requiring written notice upon entry of a non-suit in an action at law. *Chap.* 81

Whereas, The deferred operation of this act would tend to defeat its purpose, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Emergency preamble.

Be it enacted, etc., as follows:

Section fifty-eight of chapter two hundred and thirty-one of the General Laws is hereby amended by inserting after the word "default" in the first line the words: — or non-suit, — by inserting after the word "default" in the fifth line the following: —, non-suit, — and by inserting after the word "and" in the sixth line the following: — if, in case of the entry of a default or (interlocutory) decree as aforesaid, — so as to read as follows: — *Section 58.* Upon entry of a default or non-suit in an action at law or of an interlocutory decree in equity taking a bill pro confesso, the clerk of the court shall forthwith give written notice thereof, in such manner as the court by rule shall direct, to the attorney of record, if any, of each party against whom such default, non-suit or decree is entered. If a party has no attorney of record, and if, in case of the entry of a default or (inter-

G. L. 231, § 58, amended.

Clerk of court to give notice of default or non-suit in an action at law or decree pro confesso.

locutory) decree as aforesaid, the officer's return does not show that personal service of the writ, bill, petition, or complaint, or order therein, as the case may be, has been made upon him, the notice shall be given to the party.

Approved March 5, 1931.

Chap. 82 AN ACT ENLARGING THE TERRITORY OF FIRE DISTRICT NUMBER TWO IN THE TOWN OF SOUTH HADLEY.

Be it enacted, etc., as follows:

1909, 239, § 1, amended.

Fire District Number Two in the Town of South Hadley established.

Boundary lines of district enlarged.

SECTION 1. Chapter two hundred and thirty-nine of the acts of nineteen hundred and nine is hereby amended by striking out section one of said chapter and inserting in place thereof the following: — *Section 1.* The inhabitants of South Hadley liable to taxation in that town and residing within the territory enclosed by the following boundary lines, to wit: — Beginning at the intersection of Batchelors brook by the boundary line between South Hadley and Granby, and running northerly along said boundary line to a stone at the northwest corner of the town of Granby, on the northerly side of Amherst street at Moody Corners, so-called; thence running easterly on the northerly side of Amherst street, along the boundary line of said towns of Granby and South Hadley to a stone monument at the junction of the old Amherst road and the present highway; thence northwest to Elmer brook; thence westerly, following the course of Elmer brook, to Pearl street; thence westerly on Pearl street to Hadley street; thence northwesterly on Hadley street as laid out recently by the Massachusetts highway commission to the Hadley and South Hadley line; thence westerly on the boundary line between South Hadley and Hadley to the Connecticut river; thence southerly along the easterly bank of the Connecticut river to the mouth of Stony brook; thence southerly and easterly along the course of said Stony brook to a small stream known as Leapingwell brook; thence easterly along said Leapingwell brook to the culvert at the junction of College, Newton and Brainerd streets; thence running easterly to a point in Mosher street in front of the Mosher house, so-called; thence easterly along said Mosher street to a culvert crossing said street, which culvert is northeast of Calvin Preston's house; thence easterly from said culvert to a stone monument on the Granby line at the point where said line is crossed by Morgan street; thence northerly along said Granby line to the point of beginning, shall constitute a fire district, and are hereby made a body corporate, by the name of Fire District Number Two in the Town of South Hadley; and said corporation shall have the powers and privileges and shall be subject to the duties and liabilities set forth in all general laws now or hereafter in force relating to fire districts.

SECTION 2. This act shall take effect upon its passage.

Approved March 5, 1931.

An Act relative to the manner of giving notice when calling upon another party to admit material facts and papers and documents in actions at law or suits in equity. *Chap.* 83

Emergency preamble.

Whereas, The deferred operation of this act would tend to defeat its purpose, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

G. L. 231, § 69, etc., amended.

Section sixty-nine of chapter two hundred and thirty-one of the General Laws, as amended by section one of chapter three hundred and eighty-one of the acts of nineteen hundred and twenty-six, is hereby further amended by striking out the word "notice" wherever it occurs and inserting in place thereof in each instance the word: — demand, — by striking out, in the second and third lines, the words "served by copy on" and inserting in place thereof the words: — notice given by copy thereof to, — and by striking out, in the twentieth line, the word "served" and inserting in place thereof the word: — made, — so as to read as follows: — *Section 69.*

Manner of giving notice when calling upon another party to admit material facts and papers and documents in actions at law or suits in equity.

In any action at law or suit in equity a party by written demand filed in the clerk's office and notice given by copy thereof to the other party or his attorney, not less than ten days before the trial of the action or suit, may call upon the other party to admit, for the purposes of the case only, any material fact or facts or the execution of any material paper or document which he intends to use at the trial.

Court may delay trial until demand answered and may strike out irrelevant, etc., matter.

The court may delay the trial until such demand is answered and on motion before trial may strike out of such demand or any answer filed in response thereto any matter which is irrelevant, immaterial or improperly included therein.

Effect if no answer filed, etc.

If no answer is filed in the clerk's office within ten days after the filing therein of said demand or within such further time as the court may on motion allow, the truth of the fact or facts or the execution of the paper or document shall, for the purposes of the case, be held to be admitted.

Demand and answer as evidence.

Such demand, in so far as it relates to a material fact or document, and any answer filed in response thereto shall, if offered by the party who filed such demand, be admitted in evidence.

Party unreasonably refusing to admit facts, etc., to pay expense of proving such facts, etc.

If the party upon whom such demand is made refuses to admit any fact or the execution of any paper or document mentioned in the demand, the reasonable expense of proving such fact or the execution of such paper or document, as determined after summary hearing by the justice presiding at the trial, shall, unless the justice certifies that the refusal to admit was reasonable, be paid by said party to the other party and the amount thereof shall be added to the taxable costs of the party in whose favor such amount is awarded or deducted from the amount of any judgment or decree against him.

Approved March 5, 1931.

Chap. 84 An Act authorizing the county of Middlesex to provide necessary accommodations for the third district court of eastern Middlesex.

Be it enacted, etc., as follows:

Middlesex county commissioners may provide necessary accommodations for the third district court of Eastern Middlesex.

Section 1. For the purpose of providing court house accommodations in the city of Cambridge for the third district court of Eastern Middlesex, the county commissioners of Middlesex county may take by eminent domain under chapter seventy-nine of the General Laws, or acquire by purchase or otherwise, such land as may be necessary and may erect thereon a suitable building for the purpose aforesaid, and may equip and furnish the same.

County treasurer may borrow money, issue bonds, etc.

Middlesex County — Third District Court of Eastern Middlesex Court House Loan, Act of 1931.

Section 2. For the purposes aforesaid, the treasurer of said county, with the approval of the county commissioners, may borrow from time to time, on the credit of the county, such sums as may be necessary, not exceeding, in the aggregate four hundred and seventy-five thousand dollars, and may issue bonds or notes of the county therefor, which shall bear on their face the words, Middlesex County — Third District Court of Eastern Middlesex Court House Loan, Act of 1931. Each authorized issue shall constitute a separate loan, and such loans shall be payable in not more than ten years from their dates. Such bonds or notes shall be signed by the treasurer of the county and countersigned by a majority of the county commissioners. The county may sell the said securities at public or private sale upon such terms and conditions as the county commissioners may deem proper, but not for less than their par value. Indebtedness incurred under this act shall, except as herein provided, be subject to chapter thirty-five of the General Laws.

May issue temporary notes, etc.

Section 3. The county treasurer, with the approval of the commissioners, may issue temporary notes of the county, payable in not more than one year from their dates, in anticipation of the issue of serial bonds or notes under the preceding section, but the time within which such serial bonds or notes shall become due and payable shall not, by reason of such temporary notes, be extended beyond the time fixed by said section. Any notes issued in anticipation of the serial bonds or notes shall be paid from the proceeds thereof.

Submission to Middlesex county commissioners.

Section 4. This act shall take effect upon its acceptance during the current year by the county commissioners of said county, but not otherwise.

Approved March 5, 1931.

Chap. 85 An Act relative to the determination of annual charges for the use of the system of sewerage established in the town of Reading.

Be it enacted, etc., as follows:

1909, 314, § 9, amended.

Section 1. Chapter three hundred and fourteen of the acts of nineteen hundred and nine is hereby amended by striking out section nine and inserting in place thereof the

following: — *Section 9.* Thirty per cent of the estimated cost of the whole system shall be paid by the owners of the abutting estates in the following manner: — The board of public works, successor to the sewer commissioners by virtue of section two of chapter one hundred and eighteen of the acts of nineteen hundred and twenty-one, shall determine the value of the special benefit to each of said estates, respectively, from the said system of sewers, taking into account all the circumstances of the case, and the proportionate part to be paid by the owners of said estates, respectively, shall be based upon the amount of the special benefit to each estate determined as aforesaid. In addition to the above assessment there shall be an annual charge for the use of the sewers as follows: — Every owner of an estate, who enters his particular sewer into a common sewer, shall pay for the use of such sewer an annual charge to be fixed and determined from time to time by the said board based upon the water service; and said board shall have power to abate such charge in whole or in part at discretion. Such charge as may be fixed shall be collected semi-annually and shall constitute a lien upon the real estate using the sewer, to be collected in the same manner as taxes upon real estate, or in an action of contract in the name of the town of Reading.

Determination of annual charges for the use of the system of sewerage established in the town of Reading.

Section 2. This act shall take effect upon its acceptance by vote of the inhabitants of the town of Reading at a town meeting held within two years after its passage, but for the purpose of such acceptance, shall take effect upon its passage. *Approved March 6, 1931.*

Submission to voters, etc.

An Act prohibiting the use of beam or otter trawls in taking fish from certain territorial waters of Massachusetts. *Chap.* 86

Be it enacted, etc., as follows:

Section 1. It shall be unlawful for any person to use beam or otter trawls to drag for fish in that part of the territorial waters of Massachusetts lying between the New Hampshire line and a line extending from the water tower on Winthrop Head through the Graves Lighted, near the entrance of Boston harbor, to the marine boundary of the commonwealth.

Use of beam or otter trawls in taking fish from certain territorial waters of Massachusetts, prohibited.

Section 2. Violation of this act shall be punished by a fine of not less than twenty-five nor more than fifty dollars.

Penalty.

Section 3. This act shall take effect upon its passage. *Approved March 6, 1931.*

An Act authorizing the city of Marlborough to incur indebtedness for elementary school purposes. *Chap.* 87

Be it enacted, etc., as follows:

Section 1. For the purpose of constructing an elementary school building and originally equipping and furnish-

City of Marlborough may borrow money,

issue bonds, etc., for elementary school purposes.

ing the same, the city of Marlborough may borrow from time to time, within a period of five years from the passage of this act, such sums as may be necessary, not exceeding, in the aggregate, one hundred and forty-four thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Marlborough Elementary School Loan, Act of 1931. Each authorized issue shall constitute a separate loan, and such loans shall be paid in not more than fifteen years from their dates, but no issue shall be authorized under this act unless a sum equal to an amount not less than ten per cent of such authorized issue is voted for the same purpose to be raised by the tax levy of the year when authorized. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall, except as provided herein, be subject to chapter forty-four of the General Laws, exclusive of the limitation contained in the first paragraph of section seven thereof, as revised by chapter three hundred and twenty-four of the acts of nineteen hundred and twenty-eight.

Marlborough Elementary School Loan, Act of 1931.

SECTION 2. This act shall take effect upon its passage.

Approved March 6, 1931.

Chap. 88 AN ACT RELATIVE TO SEWER ASSESSMENTS IN THE TOWN OF MILTON.

Be it enacted, etc., as follows:

1895, 304, § 9, amended.

SECTION 1. Section nine of chapter three hundred and four of the acts of eighteen hundred and ninety-five is hereby amended by striking out, in the twentieth line, the words "three equal parts" and inserting in place thereof the words: — not more than ten equal parts, no one of which shall be less than five dollars.

Sewer assessments in town of Milton.

Application.

SECTION 2. This act shall apply to all sewer assessments in the town of Milton unpaid in whole or in part on the effective date of this act; provided, that application for the apportionment of such an assessment or of the unpaid balance thereof is made within three months of said date.

Proviso.

SECTION 3. This act shall take effect upon its passage.

Approved March 6, 1931.

Chap. 89 AN ACT AUTHORIZING THE TOWN OF SOUTH HADLEY TO BORROW MONEY FOR SCHOOL PURPOSES.

Be it enacted, etc., as follows:

Town of South Hadley may borrow money for school purposes.

SECTION 1. For the purpose of constructing a school building and originally equipping and furnishing the same, the town of South Hadley may borrow from time to time, within a period of five years from the passage of this act, such sums as may be necessary, not exceeding, in the aggregate, eighty thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, South Hadley School Loan, Act of 1931. Each authorized issue shall constitute a separate loan, and such loans shall

South Hadley School Loan, Act of 1931.

be paid in not more than fifteen years from their dates, but no issue shall be authorized under this act unless a sum equal to an amount not less than ten per cent of such authorized issue is voted for the same purpose to be raised by the tax levy of the year when authorized. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall, except as provided herein, be subject to chapter forty-four of the General Laws, exclusive of the limitation contained in the first paragraph of section seven thereof, as revised by chapter three hundred and twenty-four of the acts of nineteen hundred and twenty-eight.

Section 2. This act shall take effect upon its passage.

Approved March 6, 1931.

An Act authorizing the trustees of Amherst College to accept and carry out the purposes of the gift under the will of Henry C. Folger and to hold additional property. *Chap.* 90

Emergency preamble.

Whereas, The deferred operation of this act would, in part, defeat its purpose, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

Trustees of Amherst College may accept and carry out purposes of gift under will of Henry C. Folger.

Section 1. The Trustees of Amherst College are hereby authorized to accept the gift to the said Trustees of Amherst College under the will of Henry C. Folger, late of Glen Cove, New York, deceased, allowed by the surrogate's court, Nassau county, New York, on the twenty-fifth day of June, nineteen hundred and thirty, and to carry out the provisions of said will relating thereto.

May acquire by gift, etc., real or personal estate.

Section 2. The Trustees of Amherst College, for the purposes set forth in the act establishing said college, being chapter eighty-four of the acts of eighteen hundred and twenty-four, and in the several acts in addition thereto, including this act, are hereby authorized to acquire by gift, grant, bequest, devise or otherwise, lands, tenements or other estate, real or personal, and to hold, manage, and from time to time to invest and re-invest the same, or the proceeds of any sale thereof, for the purposes aforesaid; provided, that the net annual income of all the property so held shall not exceed the sum of two million dollars.

Proviso.

Approved March 6, 1931.

An Act permitting insurance companies to insure against loss caused by the termination of a conditional vendee's or mortgagee's interest in motor vehicles or aircraft. *Chap.* 91

Be it enacted, etc., as follows:

G. L. 175, § 47, cl. Second, amended.

Section 1. Clause Second of section forty-seven of chapter one hundred and seventy-five of the General Laws, as appearing in section one of chapter one hundred and six

of the acts of nineteen hundred and twenty-eight, is hereby amended by striking out subdivision (*e*) and inserting in place thereof the following: —

Purposes of incorporation of insurance companies.

Kinds of business.

(*e*) against loss or damage to, and loss of use of, motor vehicles, airplanes, seaplanes, dirigibles or other aircraft, their fittings and contents, whether such motor vehicles or aircraft are being operated or not, and wherever the same may be, resulting from accident, collision, fire, lightning, any larceny, pilferage, theft, malicious mischief or vandalism, any of the perils usually insured against by marine insurance or risks of inland navigation and transportation, against loss or damage caused by the concealment, removal or unlawful disposition or conversion of such vehicles or aircraft by a conditional vendee or mortgagor or bailee in possession, and against loss or damage sustained by a conditional vendor or mortgagee of such vehicles or aircraft arising from any default in the payment of the vendee's or mortgagor's indebtedness to the insured in case of the termination of the vendee's or mortgagor's interest in such vehicles or aircraft;

Loss caused by termination of a conditional vendee's or mortgagee's interest in motor vehicles or aircraft.

G. L. 175, § 47, cl. Third, amended.

SECTION 2. Said section forty-seven is hereby amended by striking out clause Third, as appearing in said section one of said chapter one hundred and six, and inserting in place thereof the following: —

Same subject.

Third, To insure against loss or damage to, and loss of use of, airplanes, seaplanes, dirigibles or other aircraft, motor vehicles other than motor boats, their fittings and contents, whether such vehicles or aircraft are being operated or not, and wherever the same may be, resulting from accident, collision, fire, lightning, any larceny, pilferage, theft, malicious mischief or vandalism, any of the perils usually insured against by marine insurance or risks of inland navigation and transportation, against loss or damage caused by the concealment, removal or unlawful disposition or conversion of such vehicles or aircraft by a conditional vendee or mortgagor or bailee in possession thereof, and against loss or damage sustained by a conditional vendor or mortgagee of such vehicles or aircraft arising from any default in the payment of the vendee's or mortgagor's indebtedness to the insured in case of the termination of the vendee's or mortgagor's interest in such vehicles or aircraft.

Approved March 6, 1931.

Chap. 92 AN ACT ESTABLISHING A BOARD OF ELECTION COMMISSIONERS IN THE CITY OF LYNN.

Be it enacted, etc., as follows:

Lynn board of registrars of voters abolished and board of election commissioners established, etc.

SECTION 1. The board of registrars of voters of the city of Lynn shall be abolished on November thirtieth of the current year or as soon thereafter as the members of the board of election commissioners, which is hereby established, shall qualify for office. Thereupon all the powers, rights, liabilities and duties of said board of registrars, either under

general or special law, except as otherwise provided, shall be transferred to and shall thereafter be exercised by the said board of election commissioners, hereinafter called the board, which shall be the lawful successor of said registrars. Immediately upon the qualification of the members of the board, the said registrars shall deliver to the board all books, papers, records, and other equipment, furniture and paraphernalia in their possession.

Number of persons to comprise board.

Section 2. The board, except as otherwise provided in section five, shall consist of four registered voters of said city, two appointed, as provided in section three, from each of the two leading political parties, as defined in section one of chapter fifty of the General Laws, one of whom shall be designated by the mayor of said city as the chairman. The chairman and the other appointive members shall receive such salaries as the mayor and city council may by ordinance prescribe. The city council shall provide the board with suitable office room and equipment.

Compensation.

Appointment of members by mayor, terms of office, etc.

Section 3. The mayor of said city, subject to the approval of its city council, shall, prior to December first of the current year or as soon as may be thereafter, appoint the four members of the board to hold office, respectively, until the expiration of one, two, three and four years from said December first, and thereafter in November of each year, the mayor, subject to like approval, shall appoint a member of the board to hold office for a term of four years from the December first following. The mayor, subject to like approval, shall fill any vacancy for the unexpired term. All appointments hereunder shall be so made that the members of the board shall equally represent the two leading political parties as defined as aforesaid. All appointees to the board shall continue to serve thereon until the qualification of their respective successors.

Vacancy.

Choice of secretary.

Section 4. The members of the board shall choose from their own number a secretary; and in case they fail to agree upon a secretary within thirty days after the initial organization of the board or after a vacancy in said office occurs, by expiration of term or otherwise, such official shall be designated by the mayor. The secretary and the chairman shall not represent the same political party. The secretary shall keep a full and accurate record of the proceedings of the board, and shall cause to be properly served or posted such notices as the board may require.

Secretary and chairman not to represent same political party, etc.

Board to have powers, etc., of certain city officials, etc.

Section 5. The board shall in all matters relating to objections and questions arising in the case of nominations of candidates for city offices have the powers and perform the duties of the board of registrars, the city clerk and the city solicitor under sections twelve and one hundred and four of chapter fifty-three of the General Laws; and when the board is sitting to consider such matters, the justice of the district court of southern Essex, or in case of his disability, a special justice of said court in the order of seniority, shall be a member of the said board and shall preside, but shall not

When justice of district court of southern Essex shall be member of board, etc.

vote unless the other members of the board are equally divided.

Certain powers, etc., of mayor and city council, etc., to be vested in board, etc.

SECTION 6. All the powers, rights, privileges, liabilities and duties relating to primaries, caucuses or elections by law vested in and imposed upon the mayor and city council or either of them, the city clerk, the city solicitor or the board of registrars of voters in cities, except the power and duty of giving notice of elections and fixing the days and hours of holding the same, shall in the city of Lynn be vested in and performed by the board, who shall be subject to all the penalties prescribed by general laws for failure to perform the said duties.

Submission to city council, etc.

SECTION 7. This act shall take effect upon its acceptance by the city council of the city of Lynn, subject to the provisions of its charter; provided, that such acceptance occurs

Proviso.

prior to December first in the current year; but for the purposes of such acceptance, it shall take effect upon its passage. *Approved March 6, 1931.*

Chap. 93 AN ACT DEFINING SHERBET AND REGULATING ITS MANUFACTURE AND SALE.

Be it enacted, etc., as follows:

G. L. 94, caption before § 64, amended.

SECTION 1. Chapter ninety-four of the General Laws is hereby amended by striking out the caption before section sixty-four and inserting in place thereof the following: — ICE CREAM AND SHERBET.

G. L. 94, new section after § 64.

SECTION 2. Said chapter ninety-four is hereby further amended by inserting after said section sixty-four the following new section: — *Section 64A*. For the purposes of

Sherbet defined.

sections sixty-five A to sixty-five F, inclusive, sherbet is hereby defined to be all frozen water, milk or custard ices, with or without sugar or flavoring, which do not come within the definition of ice cream contained in the preceding section.

G. L. 94, § 65A, amended.

SECTION 3. Section sixty-five A of said chapter ninety-four, inserted by section one of chapter two hundred and seventy-eight of the acts of nineteen hundred and twenty-seven, is hereby amended by striking out, in the sixth line, the words "the two preceding sections" and inserting in place thereof the words: — section sixty-four, — by striking out, in the seventh line, the words "the preceding section" and inserting in place thereof the words: — section sixty-five, — by inserting before the word "in" in the nineteenth line the words: — or sherbet, — and by inserting after the word "cream" in the twenty-fifth line the words: — or sherbet, — so as to read as follows: — *Section 65A*. No

Manufacture and sale of ice cream and sherbet regulated.

person, himself or by his servant or agent, shall

(*a*) manufacture, sell or offer or expose for sale, or have in possession with intent to sell or offer or expose for sale, under the name of "ice cream" any substance not conforming to the provisions of section sixty-four or adulterated within the meaning of section sixty-five;

(*b*) sell or offer or expose for sale, or have in possession with intent to sell or offer or expose for sale, ice cream in a container which is falsely labelled or branded as to the name or address of the manufacturer of such ice cream, or an imitation of or substitute for ice cream under a coined or trade name which does not identify its true character;

(*c*) sell ice cream from a container or a compartment of a cabinet or fountain, which contains any article of food, other than ice cream or an imitation or substitute for ice cream offered for sale under a coined or trade name which plainly identifies its true character;

(*d*) handle ice cream or coated ice cream or sherbet in unclean, unsanitary or unhealthful premises or in an unclean, unsanitary or unhealthful manner;

(*e*) use or lend, borrow, hire or lease for use any ice cream can, tub, jacket or other container for any other purpose than the handling, storing or shipping therein of ice cream;

(*f*) engage in the business of manufacturing ice cream or sherbet without a license so to do from the board of health of the town where such business is or is to be located.

G. L. 94, § 65B, amended.

Section 4. Section sixty-five B of said chapter ninety-four, as so inserted, is hereby amended by inserting after the word "cream" in the third line the words: — and sherbet or either of them, — so as to read as follows: — *Section 65B.* Local boards of health may grant to suitable applicants therefor licenses to manufacture ice cream and sherbet or either of them. Applications for such licenses shall be made upon forms prescribed by the department of public health. No license shall be granted hereunder until after inspection and approval by such local board of the premises wherein the business so licensed is to be carried on. Each license so granted shall, unless sooner revoked, expire on April thirtieth following its issue, and the fee therefor shall be one dollar. Any such license may be revoked at any time, for cause and after a hearing, by the local board which granted it.

Licenses, applications, forms, etc.

Inspection by local boards of premises, etc.

Expiration of license, fee, etc.

Revocation.

Approved March 6, 1931.

An Act requiring town clerks to furnish fidelity bonds annually. *Chap.* 94

Be it enacted, etc., as follows:

G. L. 41, § 13, amended.

Chapter forty-one of the General Laws is hereby amended by striking out section thirteen and inserting in place thereof the following: — *Section 13.* Every town clerk shall, within ten days after his qualification and thereafter, at intervals of not more than one year, so long as he continues to hold said office, give bond to the town for the faithful performance of his duties, in such sum as the selectmen shall approve. If he does not give bond as herein required the selectmen may declare the office vacant and fill the vacancy in the manner prescribed in the following section.

Town clerks to furnish fidelity bonds annually.

Approved March 6, 1931.

Chap. 95 AN ACT PERMITTING UNREGISTERED TRACTORS AND TRAILERS USED FOR CERTAIN INDUSTRIAL PURPOSES TO BE OPERATED UPON WAYS IN CERTAIN CASES.

Be it enacted, etc., as follows:

G. L. 90, § 9, etc., amended.

Section nine of chapter ninety of the General Laws, as most recently amended by chapter one hundred and eighty of the acts of nineteen hundred and twenty-nine, is hereby further amended by striking out, in the fifteenth and sixteenth lines, the words "used exclusively for agricultural purposes" and also by inserting after the word "mile" in the seventeenth line the following: —, if said tractor or trailer is used exclusively for agricultural purposes, or for a distance not exceeding three hundred yards, if such tractor or trailer is used for industrial purposes other than agricultural purposes, — so as to read as follows: — *Section 9.*

Unregistered and improperly equipped motor vehicles not to be operated, etc.

No person shall operate any motor vehicle or draw any trailer, and the owner or custodian of such a vehicle shall not permit the same to be operated upon or to remain upon any way except as authorized by section three, unless such vehicle is registered in accordance with this chapter and carries its register number displayed as provided in section six, and, in the case of a motor vehicle, is equipped as provided in section seven, except that any motor vehicle or trailer may, if duly registered, be operated or remain upon any way between the hours of twelve o'clock noon on December thirty-first of one year and twelve o'clock noon on January first of the following year if it carries its register number of either year displayed as provided in section six, and except that a tractor or trailer may be operated without such registration upon any way for a distance not exceeding one half mile, if said tractor or trailer is used exclusively for agricultural purposes, or for a distance not exceeding three hundred yards, if such tractor or trailer is used for industrial purposes other than agricultural purposes, for the purpose of going from property owned or occupied by the owner of such tractor or trailer to other property so owned or occupied; but violation of this section shall not constitute a defence to actions of tort for injuries suffered by a person, or for the death of a person, or for injury to property, unless it is shown that the person injured in his person or property or killed was the owner or operator of the motor vehicle the operation of which was in violation of this section, or unless it is shown that the person so injured or killed, or the owner of the property so injured, knew or had reasonable cause to know that this section was being violated. A motor vehicle or trailer shall be deemed to be registered in accordance with this chapter notwithstanding any mistake in so much of the description thereof contained in the application for registration or in the certificate required to be filed under section thirty-four B as relates to the engine, serial or maker's number thereof.

Use of number plates between twelve o'clock noon on December thirty-first and twelve o'clock noon on January first following.

Unregistered tractors and trailers used exclusively for agricultural purposes, or for certain industrial purposes, may be operated upon ways in certain cases.

Violation of section not to constitute a defence, etc.

Certain misstatements in applications not to affect registration, etc.

Approved March 6, 1931.

An Act authorizing the town of Hanover to sell water to the towns of Norwell, Pembroke, Rockland and Hanson and to any inhabitant thereof. *Chap.* 96

Be it enacted, etc., as follows:

Section 1. Chapter thirty-nine of the acts of nineteen hundred and thirty is hereby amended by inserting after section nine the following new section: — *Section 9A.* The said town may furnish and sell water to the towns of Norwell, Pembroke, Rockland and Hanson, or any of them, or to any inhabitant of any such town; and said towns, or any of them, may purchase such water. Water so furnished and sold shall be at a rate or rates to be mutually agreed upon between the town of Hanover and any such town, or inhabitant thereof, purchasing as aforesaid. In case of sale to any such town, the town of Hanover shall deliver the water at the boundary line between it and such town, or at a point as conveniently near as may be agreed upon, and may, at its own expense, make such extension of its water mains and such installation of other facilities and equipment as may be necessary for said purposes; provided, that such extension and installation as may be necessary within the limits of any such other town shall be subject in all respects to the approval of the selectmen of such town.

1930, 39, new section after § 9.

Town of Hanover may sell water to towns of Norwell, Pembroke, Rockland and Hanson and to any inhabitant thereof.

Proviso.

Section 2. This act shall take effect upon its passage.

Approved March 10, 1931.

An Act relative to certain lines, poles and other equipment of the Randolph & Holbrook Power & Electric Company, of the Weymouth Light and Power Company and of the New England Telephone and Telegraph Company of Massachusetts, in the towns of Holbrook, Randolph and Weymouth. *Chap.* 97

Be it enacted, etc., as follows:

Section 1. All lines for the transmission of electricity for light, heat or power heretofore acquired or constructed by the Randolph & Holbrook Power & Electric Company in the towns of Randolph and Holbrook, and by the Weymouth Light and Power Company in the town of Weymouth, and all lines for the transmission of intelligence by electricity heretofore acquired or constructed by The New England Telephone and Telegraph Company of Massachusetts in any of the said towns, upon, along, over or under the public ways and places of said towns, or any of them, and the poles, piers, abutments, conduits and other fixtures necessary to sustain or protect the wires of said lines, and in actual use on the effective date of this act, are hereby made lawful notwithstanding the lack of any valid locations therefor or any informality in the proceedings relative to their location and erection; provided, that the validation aforesaid shall

Certain lines, poles and other equipment of the Randolph & Holbrook Power & Electric Company, of the Weymouth Light and Power Company and of The New England Telephone and Telegraph Company of Massachusetts, in towns of Holbrook, Randolph and Weymouth, validated.

Proviso.

not be effective as to the lines, structures or fixtures aforesaid of any such company in any such town unless such company shall, not later than the first day of December in the current year, file with the clerk of such town a map or maps showing in detail the location and nature of the said lines, structures and fixtures in such town; such map or maps to be recorded and kept with the records of original locations for poles and wires in said towns.

SECTION 2. This act shall take effect upon its passage.

Approved March 10, 1931.

Chap. 98 AN ACT AUTHORIZING THE TOWN OF WAKEFIELD TO LEASE CERTAIN PROPERTY HELD BY IT FOR PARK PURPOSES.

Be it enacted, etc., as follows:

Town of Wakefield may lease certain property held by it for park purposes.

SECTION 1. The town of Wakefield is hereby authorized, by and with the consent of its park commission, to lease from time to time at a nominal rental a portion within limits hereinafter set forth of certain land located on Church street in said town and held by it for park purposes, including therein the building known as the Hartshorne house, to an association or corporation to be organized and maintained by Wakefield citizens for the purpose of preserving and maintaining said property and devoting it to such uses as may be of benefit or accommodation to the public, for which uses reasonable charges may be made. The land so to be leased shall be within the limits of a strip one hundred and fifty feet in width extending from said Church street to the shore line of Lake Quannapowitt in said town. All profits accruing to said association or corporation from the use of said property shall be used for the improvement thereof.

Submission to voters, etc.

SECTION 2. This act shall take effect upon its acceptance during the current year by vote of the inhabitants of the town of Wakefield at a town meeting; but for the purposes of such acceptance it shall take effect upon its passage.

Approved March 10, 1931.

Chap. 99 AN ACT REVIVING ROY E. LITCHFIELD, INC.

Be it enacted, etc., as follows:

Roy E. Litchfield, Inc., revived.

Roy E. Litchfield, Inc., a corporation dissolved by chapter three hundred and nineteen of the acts of nineteen hundred and twenty-nine is hereby revived with the same powers, duties and obligations as if said chapter had not been passed; and all acts and proceedings of the officers, directors and stockholders of said corporation acting as such which would be legal and valid but for the passage of said chapter are hereby ratified and confirmed.

Approved March 10, 1931.

An Act authorizing the school committee of the city of Boston to receive and hold for certain additional purposes real or personal estate given, granted, bequeathed or devised to it in trust. *Chap.* 100

Be it enacted, etc., as follows:

Section 1. Section two of chapter fifty-three of the acts of eighteen hundred and seventy-seven is hereby amended by striking out, in the fourth line, the word "money" and also by inserting after the word "assistance" in the ninth and tenth lines the following: — or for the purpose of purchasing books, pictures or other educational material for the various classes in such schools and clothing for any needy pupil or pupils attending any class in any school district or districts, — so as to read as follows: — *Section 2.* Said corporation shall have authority to receive and hold all sums of money, and real and personal estate not exceeding in the aggregate the value of two hundred thousand dollars, which may be given, granted, bequeathed or devised to it for the benefit of the teachers in the public schools of the city of Boston, or their families, requiring charitable assistance, or for the benefit of any persons or the families of any persons who have formerly been such teachers, requiring charitable assistance, or for the purpose of purchasing books, pictures or other educational material for the various classes in such schools and clothing for any needy pupil or pupils attending any class in any school district or districts. It shall have power to manage and dispose of the same according to its best discretion and to execute any and all trusts according to the tenor thereof which may be created for the purposes aforesaid.

1877, 53, § 2, amended.

The school committee of the city of Boston may receive and hold for certain additional purposes real or personal estate given, granted, bequeathed or devised to it in trust.

Section 2. The powers granted in this act shall be in addition to any powers granted in chapter two hundred and thirty-five of the acts of nineteen hundred, or in any act in amendment thereof or in addition thereto, and not in limitation thereof.

Powers to be additional.

Section 3. This act shall take effect upon its passage.

Approved March 11, 1931.

An Act to provide for removing or placing underground certain wires and electrical appliances in the city of Boston. *Chap.* 101

Be it enacted, etc., as follows:

Section 1. In the month of January in the year nineteen hundred and thirty-two, and in said month in each year thereafter, to and including the year nineteen hundred and thirty-six, the fire commissioner of the city of Boston shall prescribe and give public notice thereof in at least two daily newspapers in said city, by advertisement therein, twice a week for two weeks in succession, of not more than four

Removing or placing underground certain wires and electrical appliances in the city of Boston.

miles of streets in said city in any one year, from which poles shall be removed and the wires buried underground, except such poles and wires as are excepted in chapter three hundred and sixty-four of the acts of nineteen hundred and eleven.

Powers conferred upon certain officer to be extended, and to be exercised, etc., by fire commissioner.

SECTION 2. The powers conferred and the duties imposed upon the officer mentioned in said chapter three hundred and sixty-four, and other acts mentioned in said chapter, are hereby extended and said powers shall be exercised and said duties performed by said fire commissioner in each of the years nineteen hundred and thirty-two to nineteen hundred and thirty-six, inclusive.

This act and certain other provisions of law not applicable to certain wires, etc.

SECTION 3. This act, and chapter four hundred and fifty-four of the acts of eighteen hundred and ninety-four, chapter two hundred and forty-nine of the acts of eighteen hundred and ninety-eight, chapter three hundred and forty-seven of the acts of nineteen hundred and eight, chapter three hundred and sixty-four of the acts of nineteen hundred and eleven, chapter one hundred and ninety-six of the Special Acts of nineteen hundred and sixteen, chapter one hundred and ninety-six of the acts of nineteen hundred and twenty-one and chapter two hundred and forty of the acts of nineteen hundred and twenty-six shall not apply to trackless trolley or railway trolley, guard or span wires or to poles for the support of the same.

SECTION 4. This act shall take effect upon its passage.

Approved March 11, 1931.

Chap. 102 AN ACT AUTHORIZING THE TOWN OF FALMOUTH TO ERECT A BATH HOUSE AND TO ESTABLISH AND MAINTAIN PUBLIC BATHING FACILITIES ON PARK LAND.

Be it enacted, etc., as follows:

Town of Falmouth may erect a bath house and establish and maintain public bathing facilities on park land.

SECTION 1. The town of Falmouth may erect a bath house, exceeding six hundred square feet in area on the ground, upon certain property, commonly known as Old Silver Beach park, owned by said town and used for park purposes. Said town may also establish and maintain at said park a public bathing place, and for said purpose may make such changes in said property, and install and maintain such equipment and appliances, as may be necessary. The board of park commissioners of said town may make such rules and regulations for the conduct of said bathing place, and may establish such charges for the use of said bath house, as it may consider necessary.

SECTION 2. This act shall take effect upon its passage.

Approved March 11, 1931.

An Act relative to the solicitation of business on public sidewalks. *Chap.* 103

Be it enacted, etc., as follows:

G. L. 93, § 40, amended.

Chapter ninety-three of the General Laws is hereby amended by striking out section forty and inserting in place thereof the following: — *Section 40.* Whoever makes a practice of accosting persons, other than acquaintances, upon any public sidewalk and induces or tries to induce such persons to purchase merchandise shall be punished by a fine of not more than one hundred dollars. This section shall not apply to licensed pedlers, or to persons holding permits or licenses to expose for sale or sell merchandise upon public streets or sidewalks, acting within the scope of their permits or licenses, or to persons when seeking to sell newspapers.

Solicitation of business on public sidewalks prohibited.

Not applicable to certain persons.

Approved March 11, 1931.

An Act authorizing the city of Lynn to borrow an additional sum of money for senior high school purposes. *Chap.* 104

Be it enacted, etc., as follows:

City of Lynn may borrow an additional sum of money for senior high school purposes.

Section 1. For the purpose of constructing an eastern senior high school building and of originally equipping and furnishing the same, the city of Lynn may borrow from time to time, within a period of five years from the passage of this act, such sums as may be necessary, not exceeding, in the aggregate, two hundred thousand dollars, in addition to the sums authorized by chapter one hundred and eight of the acts of nineteen hundred and twenty-eight and chapter two hundred and eighty-nine of the acts of nineteen hundred and twenty-nine, and may issue bonds or notes therefor, which shall bear on their face the words, Lynn Eastern Senior High School Loan, Act of 1931. Each authorized issue shall constitute a separate loan, and such loans shall be paid in not more than fifteen years from their dates, but no issue shall be authorized under this act unless a sum equal to an amount not less than ten per cent of such authorized issue is voted for the same purpose to be raised by the tax levy of the year when authorized. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall, except as provided herein, be subject to chapter forty-four of the General Laws, exclusive of the limitation contained in the first paragraph of section seven thereof, as revised by chapter three hundred and twenty-four of the acts of nineteen hundred and twenty-eight.

Lynn Eastern Senior High School Loan, Act of 1931.

Section 2. This act shall take effect upon its passage.

Approved March 13, 1931.

Chap. 105 An Act authorizing the city of somerville to borrow money for school purposes.

Be it enacted, etc., as follows:

City of Somerville may borrow money for school purposes.

Section 1. For the purpose of acquiring land for and/or constructing an elementary school building and originally equipping and furnishing the same, the city of Somerville may borrow from time to time, within a period of five years from the passage of this act, such sums as may be necessary, not exceeding, in the aggregate, one hundred thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Somerville Elementary School Loan, Act of 1931. Each authorized issue shall constitute a separate loan, and such loans shall be paid in not more than fifteen years from their dates, but no issue shall be authorized under this act unless a sum equal to an amount not less than ten per cent of such authorized issue is voted for the same purpose to be raised by the tax levy of the year when authorized. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall, except as provided herein, be subject to chapter forty-four of the General Laws, exclusive of the limitation contained in the first paragraph of section seven thereof, as revised by chapter three hundred and twenty-four of the acts of nineteen hundred and twenty-eight.

Somerville Elementary School Loan, Act of 1931.

Section 2. This act shall take effect upon its passage.

Approved March 13, 1931.

Chap. 106 An Act authorizing the city of somerville to borrow money for police station purposes.

Be it enacted, etc., as follows:

City of Somerville may borrow money for police station purposes.

Section 1. For the purpose of acquiring land for a police station with garage attached and/or constructing and originally equipping and furnishing the same, the city of Somerville may borrow from time to time, within a period of five years from the passage of this act, such sums as may be necessary, not exceeding, in the aggregate, two hundred and twenty-five thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Somerville Police Station Loan, Act of 1931. Each authorized issue shall constitute a separate loan, and such loans shall be paid in not more than fifteen years from their dates, but no issue shall be authorized under this act unless a sum equal to an amount not less than ten per cent of such authorized issue is voted for the same purpose to be raised by the tax levy of the year when authorized. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall, except as provided herein, be subject to chapter forty-four of the General Laws, exclusive of the limitation contained in the first paragraph of section seven

Somerville Police Station Loan, Act of 1931.

thereof, as revised by chapter three hundred and twenty-four of the acts of nineteen hundred and twenty-eight.

Section 2. This act shall take effect upon its passage.

Approved March 13, 1931.

An Act relative to the time when the polls shall be open in the city of Boston for elections. *Chap.* 107

Be it enacted, etc., as follows:

Section 1. Section sixty-four of chapter fifty-four of the General Laws, as amended by chapters one hundred and seventy-one and four hundred and sixty-eight of the acts of nineteen hundred and twenty-four, is hereby further amended by striking out, in the twelfth, thirteenth and fourteenth lines, the sentence "In the city of Boston, the polls shall be opened at six o'clock in the forenoon and shall be kept open at least ten hours continuously.", — and by striking out, in the fourteenth line, the word "other", — so as to read as follows: — *Section 64.* Notices or warrants for state and city elections and for the election of town officers in towns where official ballots are used shall specify by name all the offices to be voted for, and state, in the form in which it will appear upon the ballot, any question submitted to the voters. They shall specify the time when the polls will be opened, and in cities and in towns when voting by precincts, when the polls will be closed, and in towns when not voting by precincts, when they may be closed.

G. L. 54, § 64, etc., amended.

Notices or warrants for state and city elections and for election of town officers in certain towns, what to specify.

The polls shall in no case be kept open after eight o'clock in the evening.

No polls open after eight o'clock in evening.

In cities, the polls may be opened as early as fifteen minutes before six o'clock in the forenoon, and shall be opened as early as ten o'clock in the forenoon and shall be kept open at least six hours.

In cities, time of opening and closing polls.

In towns, at the election of state and town officers, the polls may be opened as early as fifteen minutes before six o'clock in the forenoon, and shall be opened as early as twelve o'clock, noon, and shall be kept open at least four hours, and until the time specified in the warrant when they may or will be closed; and in towns not voting by precincts they may be kept open for such longer time as the meeting shall direct. At annual town meetings they shall be kept open at least one hour for the reception of votes upon the question of licensing the sale of certain non-intoxicating beverages, as defined in section one of chapter one hundred and thirty-eight. After an announcement has been made by the presiding officer of a time so fixed for closing the polls they shall not be closed at an earlier hour.

In towns, time of opening and closing polls.

Section 2. This act shall take effect upon its acceptance during the current year by vote of the city council of the city of Boston, subject to the provisions of its charter, but not otherwise. *Approved March 13, 1931.*

Submission to Boston city council, etc.

Chap. 108 AN ACT RELATIVE TO ALLOWANCES FOR CLERICAL ASSISTANCE AND INCIDENTAL EXPENSES ON ACCOUNT OF THE APPELLATE DIVISIONS OF DISTRICT COURTS, OTHER THAN THE MUNICIPAL COURT OF THE CITY OF BOSTON.

Be it enacted, etc., as follows:

G. L. 231, § 110C, etc., amended.

Section one hundred and ten C of chapter two hundred and thirty-one of the General Laws, inserted by section eight of chapter five hundred and thirty-two of the acts of nineteen hundred and twenty-two, and as amended by chapter two hundred and forty of the acts of nineteen hundred and twenty-seven, is hereby further amended by inserting after the word "county" in the seventeenth line the following: —, which shall be known as the northern appellate division district, — by inserting after the word "county" in the twenty-second line the following: —, which shall be known as the southern appellate division district, — by inserting after the word "counties" in the twenty-sixth line the following: —, which shall be known as the western appellate division district, — by inserting after the word "expenses" in the fifth line of the last paragraph as printed in said chapter two hundred and forty the following: —, incidental expenses, — by striking out, in the ninth and tenth lines of said paragraph as printed as aforesaid, the words "clerical assistance in any appellate division shall not exceed three hundred dollars in any year" and inserting in place thereof the words: — incidental expenses and clerical assistance shall not exceed in any year the sum of fifteen hundred dollars in the northern appellate division district or the sum of seven hundred and fifty dollars in either of the other two appellate division districts, — so as to read as follows: — *Section 110C.* Such appellate division shall be holden by justices of district courts, not exceeding three in number out of five justices assigned to the performance of such duty by the chief justice of the supreme judicial court, but no justice shall sit upon the review of his own rulings. Such assignment may be made for such period of time as such chief justice may deem advisable. Such chief justice shall assign five justices of courts within the counties of Essex and Middlesex and that part of Suffolk included in the jurisdiction of the East Boston district court, the district court of Chelsea, the municipal court of the Charlestown district, the municipal court of the Brighton district, the municipal court of the Dorchester district, the municipal court of the Roxbury district, and the municipal court of the South Boston district, to act in the appellate divisions of courts within those counties and that part of Suffolk county, which shall be known as the northern appellate division district; shall assign five justices of courts within the counties of Norfolk, Plymouth, Barnstable, Bristol, Dukes and Nantucket and that part of Suffolk included in the jurisdiction of the municipal court of the West Roxbury district, to act in the appellate divisions of courts within

Assignment of justices to appellate divisions of district courts.

Northern appellate division district.

Southern appellate division district.

those counties and that part of Suffolk county, which shall be known as the southern appellate division district; and shall assign five justices of courts within the counties of Worcester, Franklin, Hampshire, Hampden and Berkshire to act in the appellate divisions of courts within those counties, which shall be known as the western appellate division district. In each of the foregoing three districts one of the justices so assigned shall be designated by the chief justice of the supreme judicial court as presiding justice, who shall from time to time designate those of the appellate justices who shall act on appeals in any court and direct the times and places of sittings. Two justices shall constitute a quorum to decide all matters in an appellate division.

Western appellate division district.

Presiding justice.

Quorum.

A justice acting in the appellate division of a court other than the court of which he is a justice shall be allowed in addition to his compensation as such justice the sum of fifteen dollars for each day he so acts, and his necessary traveling expenses, incidental expenses and necessary clerical assistance while so acting, to be paid by the county in which he so acts, upon his certificate approved by the county commissioners; provided, that the total sum expended for such incidental expenses and clerical assistance shall not exceed in any year the sum of fifteen hundred dollars in the northern appellate division district or the sum of seven hundred and fifty dollars in either of the other two appellate division districts; and no deduction shall be made from the compensation of such justice under section six of chapter two hundred and eighteen on account of compensation paid to a special justice of his court for service at any session which such justice is unable to hold by reason of so acting.

Additional compensation, incidental expenses and clerical assistance for justices acting in appellate divisions of certain district courts.

Proviso.

Approved March 13, 1931.

An Act permitting certain insurance companies to insure certain personal property against all risks or hazards. *Chap.* 109

Be it enacted, etc., as follows:

Clause Second of section forty-seven of chapter one hundred and seventy-five of the General Laws, as appearing in section one of chapter one hundred and six of the acts of nineteen hundred and twenty-eight, is hereby amended by striking out subdivision (*d*) and inserting in place thereof the following: —

G. L. 175, § 47, cl. Second, subdivision (*d*), etc., amended.

(*d*) a person engaged in the business or trade of manufacturing, buying, selling or dealing in precious stones, jewels, jewelry, gold, silver or other precious metals, silverware, musical instruments, furs, fur garments or fine arts, or of cutting or setting precious stones or jewels, whether as principal, agent, broker, factor or otherwise, against any and all risks of loss or damage in respect to said articles wherever the same may be, including deterioration and loss of use, arising out of or in connection with such business or

Purposes of incorporation of insurance companies.

Certain personal property.

trade, and against legal liability on account of any such loss or damage, including deterioration or loss of use, or a person not so engaged who owns any of the foregoing named articles or wedding presents, against any and all risks of loss or damage in respect to said articles or presents wherever the same may be, including deterioration and loss of use;

Approved March 13, 1931.

Chap. 110 AN ACT RELATIVE TO SUITS ON THE BONDS OF CERTAIN FIDUCIARIES.

Be it enacted, etc., as follows:

G. L. 205, § 29, amended.

SECTION 1. Chapter two hundred and five of the General Laws is hereby amended by striking out section twenty-nine and inserting in place thereof the following: — *Section 29.* Except as otherwise provided, a bond given by a guardian, conservator, trustee, receiver, commissioner or other fiduciary officer may be put in suit by order of the probate court for the benefit of any person interested, and the proceedings in such action shall be conducted in like manner as is provided relative to actions on bonds given by executors or administrators.

Actions upon bonds of guardians, conservators, trustees, etc.

Effective date.

SECTION 2. This act shall take effect September first in the current year. *Approved March 13, 1931.*

Chap. 111 AN ACT AUTHORIZING THE SCHOOL COMMITTEE OF THE CITY OF BOSTON TO EXPEND MONEY FOR ATHLETIC WEARING APPAREL AND CLOTHING AND FOR REPAIRING AND MAINTAINING THE SAME FOR USE BY PUPILS OF THE PUBLIC SCHOOLS OF SAID CITY AND FOR OTHER INCIDENTAL EXPENSES.

Be it enacted, etc., as follows:

The school committee of the city of Boston may expend money for athletic wearing apparel, etc., for use by pupils of public schools of said city, etc.

SECTION 1. The net receipts accruing from all athletic contests and games engaged in by the pupils of the public schools of the city of Boston and sanctioned by the school committee of said city shall be deposited in the city treasury and held for expenditure for purchasing athletic wearing apparel and clothing, and repairing, altering and cleaning the same, for use by the pupils of said schools in connection with such athletic contests and games, and for other incidental expenses connected therewith, and shall be expended as aforesaid on order of the school committee of said city.

SECTION 2. This act shall take effect upon its passage.

Approved March 16, 1931.

Chap. 112 AN ACT MAKING A FURTHER APPROPRIATION FOR THE EMPLOYMENT OF ADDITIONAL PERSONS AS A MEASURE OF RELIEF DURING THE PRESENT UNEMPLOYMENT EMERGENCY.

Emergency preamble.

Whereas, The deferred operation of this act would defeat its primary purpose, which is to provide at once a measure of relief in the present unemployment emergency by granting

state aid in abating mosquito nuisances contrary to the established policy of the commonwealth, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

Further appropriation to be expended in carrying out mosquito control projects to provide for employment of additional labor, etc.

Section 1. To provide for the employment of additional labor and other personal services as a measure of relief during the present emergency caused by unemployment, there is hereby appropriated from the general fund or revenue of the commonwealth, subject to the provisions of law regulating the disbursement of public funds and the approval thereof, the sum of two hundred and seventy thousand dollars, to be expended in carrying out mosquito control projects as hereinafter provided.

State reclamation board to constitute and reconstitute mosquito control projects, etc.

Section 2. The state reclamation board is hereby authorized and directed from time to time to constitute and reconstitute, upon its own initiative, mosquito control projects comprising such municipality or municipalities as, in the opinion of said board, contain mosquito breeding areas of an extent likely to constitute a nuisance, and, except as otherwise provided in this act, the provisions of section five A of chapter two hundred and fifty-two of the General Laws, inserted therein by section three of chapter two hundred and eighty-eight of the acts of nineteen hundred and twenty-nine, as from time to time amended, shall apply to the construction and maintenance of said projects.

Funds to be expended by commissioners appointed under G. L. 252, § 5A and under direction, etc., of board.

Section 3. So much of the funds hereby appropriated and assigned to any particular project initiated hereunder, together with any appropriations by municipalities and contributions from any other source received by said board and deposited with the state treasurer for the use of said project, shall be expended therefor by the commissioners appointed under said section five A and under the direction and supervision of said board in accordance with such known methods as in the opinion of said board will effect the greatest measure of relief from the mosquito nuisance.

Annual certification by board to city or town of sum necessary to maintain mosquito control works.

Payment into state treasury.

Section 4. On or before December fifteenth in each year, the sums of money necessary to properly maintain during the ensuing year the mosquito control works originally constructed in any city or town hereunder shall be estimated by said board and certified by it to such city or town. The amounts so certified shall be raised and appropriated by such city or town during said ensuing year and shall be paid into the state treasury and disbursed therefrom on warrants drawn by said board.

Persons employed not subject to civil service laws, etc.

Section 5. Persons employed hereunder shall not be subject to civil service laws or the rules and regulations made thereunder. *Approved March 16, 1931.*

Chap. 113 AN ACT EXTENDING THE CHARTER OF THE WAKEFIELD REAL ESTATE AND BUILDING ASSOCIATION.

Be it enacted, etc., as follows:

Charter of the Wakefield Real Estate and Building Association extended.

SECTION 1. The Wakefield Real Estate and Building Association, incorporated by chapter one hundred and twenty of the acts of eighteen hundred and seventy-one, shall be and remain a corporation for a further term of fifteen years from the twenty-second day of March, nineteen hundred and thirty-one, and shall during such further term have the powers and privileges and be subject to the duties, liabilities and restrictions set forth in its charter and in the general laws now or hereafter in force relating to such corporations.

When operative.

SECTION 2. This act shall be operative from and after the twenty-second day of March, nineteen hundred and thirty-one. *Approved March 16, 1931.*

Chap. 114 AN ACT RELATIVE TO SECOND ASSISTANT ASSESSORS IN THE ASSESSING DEPARTMENT OF THE CITY OF BOSTON.

Be it enacted, etc., as follows:

1918 (S), 93, new section after § 4.

SECTION 1. Chapter ninety-three of the Special Acts of nineteen hundred and eighteen is hereby amended by inserting after section four the following new section: — *Section 4A.* The board of assessors may, subject to like approval, appoint and fix the compensation of, such second assistant assessors as the work of the department requires, not exceeding twenty-three in number. They shall, except as provided in section two, be subject to the civil service laws, rules and regulations, and their tenure of office shall be unlimited, except that any person so appointed may be removed in accordance with such laws, rules and regulations, and shall be subject to retirement, if eligible therefor, or removal, in accordance with the retirement laws applicable to employees of the city of Boston.

Second assistant assessors in the assessing department of the city of Boston, appointment, compensation, etc.

Certain persons eligible for appointment without civil service examination, etc.

SECTION 2. All persons who on January first in the current year were employed in the assessing department of said city by said board of assessors, with the approval of the mayor, under the designation of second assistant assessors, shall be eligible for appointment under section one without civil service examination or certification.

Submission to Boston city council, etc.

SECTION 3. This act shall take effect upon its acceptance during the current year by vote of the city council of said city, subject to the provisions of its charter, but not otherwise; but for the purposes of such acceptance, it shall take effect upon its passage. *Approved March 16, 1931.*

An Act relative to certificates of probate decrees changing the names of persons. *Chap.* 115

Be it enacted, etc., as follows:

Section 1. Chapter two hundred and ten of the General Laws, as amended in section thirteen by section one of chapter one hundred and fifty-three of the acts of nineteen hundred and thirty, is hereby further amended by striking out said section thirteen and inserting in place thereof the following: — *Section 13.* The court shall, before decreeing a change of name, require public notice of the petition to be given and any person may be heard thereon, and, upon entry of a decree, the name as established thereby shall be the legal name of the petitioner, and the register may issue a certificate, under the seal of the court, of the name as so established. G. L. 210, § 13, etc., amended. Public notice of petition for change of name of person. Certificate.

Section 2. This act shall take effect September first in the current year. Effective date.

Approved March 16, 1931.

An Act relative to the widening and construction of L street in the South Boston district of the city of Boston. *Chap.* 116

Be it enacted, etc., as follows:

Section 1. Section one of chapter two hundred and sixty-four of the acts of nineteen hundred and thirty is hereby amended by striking out, in the sixth line, the word "Broadway" and inserting in place thereof the words: — Emerson street, — so as to read as follows: — *Section 1.* The board of street commissioners of the city of Boston may, with the approval of the mayor of said city, widen and order constructed Summer street from a point in the vicinity of the army base, so called, to its junction with L street, and L street from such junction to its intersection with Emerson street in the South Boston district of said city. All of the aforesaid work shall be carried out upon plans to be prepared by said board of street commissioners. 1930, 264, § 1, amended. Board of street commissioners of city of Boston may widen and order constructed Summer and L streets in the South Boston district, etc.

Section 2. All sums of money which, prior to the passage of this act, have been voted to be provided from taxes or other sources of revenue and the proceeds of any securities which, prior to such passage, have been authorized under the provisions of section three of said chapter two hundred and sixty-four, may be expended for the work authorized by section one of said chapter, as amended by this act, and the provisions of said section three shall be available for the purposes of said section one, as so amended. Expenditure.

Section 3. Said chapter two hundred and sixty-four having been submitted to and accepted by the city council of the city of Boston, in accordance with the provisions of section four thereof, this act in amendment of said chapter shall take effect upon its passage and without being further submitted to the city council of said city. Effective upon passage, etc.

Approved March 16, 1931.

Chap. 117 AN ACT REVIVING R. H. LONG COMPANY.

Emergency preamble.

Whereas, The deferred operation of this act would in part defeat its purpose, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

R. H. Long Company revived.

R. H. Long Company, a corporation, dissolved by chapter two hundred and seventy-three of the acts of nineteen hundred and twenty-eight, is hereby revived with the same powers, duties and obligations as if said chapter had not been passed; and all acts and proceedings of the officers, directors and stockholders of said corporation acting as such which would be legal and valid but for the passage of said chapter are hereby ratified and confirmed.

Approved March 19, 1931.

Chap. 118 AN ACT RELATIVE TO THE IMPROVEMENT OF BROOKS, STREAMS AND WATER COURSES IN THE TOWN OF SAUGUS.

Be it enacted, etc., as follows:

Town of Saugus may improve, for drainage purposes, etc., brooks, streams and water courses within limits of town, etc.

SECTION 1. The town of Saugus, for drainage purposes and for the purpose of protecting the public health, or either of said purposes, may, by its selectmen, from time to time improve brooks, streams and water courses, or any part thereof, within the limits of the town, by widening the same, removing obstructions in or over them, diverting the water, altering the courses or deepening the channels thereof, and may conduct any surface or ground water into the same, and may cover or pave any such channel or water course, or any part thereof, and may build retaining walls to support the banks of any such stream or water course, or any part thereof, within said town.

May take lands, rights of way, etc.

SECTION 2. For either or both of the purposes aforesaid, said town may take by eminent domain under chapter seventy-nine of the General Laws, or acquire by purchase or otherwise, lands, easements, rights of way, water rights and other property, on one or both sides of any such brook, stream or water course, or may in like manner take or otherwise acquire lands, easements, rights of way, water rights and other property to form new channels into which said water or any surface or ground water may be diverted, within the limits of said town, and may enter into and upon any land or way, and may do thereon work necessary for any such improvement, and may construct upon any land taken or otherwise acquired under authority of this act such walks or ways as the town may determine that the public convenience and necessity require; and any person who is injured in his property by any act of said town under the provisions of this act may recover from said town damages therefor under said chapter seventy-nine.

May enter into and upon lands or ways, etc.

Property damages, recovery.

Section 3. If any limited and determinable area within said town receives benefit other than the general advantage to the community from any improvement made under authority of this act, under an order declaring the same to be done under the provisions of law authorizing the assessment of betterments, the selectmen shall, within two years after the completion of such improvement, determine the value of such benefit or advantage to the lands within such area, and assess upon each parcel thereof a proportionate share of the cost of such improvement, including therein all costs for the purchase and all damages for the taking of lands, easements, rights of way, water rights and other property in order to carry out such improvement, and all other sums expended under authority of this act, but not exceeding one half of such adjudged benefit or advantage. The provisions of chapter eighty of the General Laws shall apply to such assessments and the collection thereof, except as otherwise herein provided.

Assessment of betterments, etc.

G. L. 80, applicable to assessments and collection.

Section 4. No person shall destroy or injure any drainage or sewerage work of said town, or without lawful authority pollute any natural water course in said town, or put or maintain any obstruction therein. Whoever violates any provision of this section shall be punished by a fine of not more than five hundred dollars or by imprisonment for not more than three months, or both.

Destruction, etc., of any drainage or sewerage work forbidden.

Penalty.

Section 5. This act shall take effect upon its passage.

Approved March 19, 1931.

An Act providing for the construction by the department of public works of a state highway in the towns of Hull and Hingham. *Chap.* 119

Whereas, The deferred operation of this act would, in part, defeat its purpose to relieve the existing unemployment conditions, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public safety and convenience.

Emergency preamble.

Be it enacted, etc., as follows:

Section 1. Subject to the conditions herein imposed, the department of public works is hereby authorized and directed to lay out and construct a state highway, under the provisions of chapter eighty-one of the General Laws, except as herein provided, substantially in the following location: — Beginning at a point in Nantasket avenue at or near its intersection with Bay street in the town of Hull, thence over public and private lands and public and private ways in a general southerly and westerly direction in the towns of Hull and Hingham, crossing Weir river by a bridge without a draw, to a point in Rockland street easterly of the intersection of Summer street with Rockland street in the said town of Hingham.

Department of public works may construct a state highway in towns of Hull and Hingham.

Town of Hull to pay certain sum into state treasury, etc.

Said town of Hull shall pay into the treasury of the commonwealth immediately upon the passage of this act the sum of one hundred and fifty thousand dollars, and upon written order of said department the additional sum of twenty-five thousand dollars, all of which shall be available for expenditure by the said department for the purposes of this act without appropriation by the general court; and in addition thereto, the said department may expend for said purposes, from the amount appropriated for the construction of state highways in the current year, sums not exceeding, in the aggregate, four hundred and twenty-five thousand dollars.

Expenditure by department.

Cost to town of Hull not to exceed one third of total cost of whole highway.

SECTION 2. Money expended by said department from the amount paid into the state treasury by said town of Hull as aforesaid shall be applied only toward the payment of the cost of that portion of said highway lying within the limits of said town, and shall not exceed one third of the total cost of the whole of said highway. If said one third of the total cost is less in amount than one hundred and seventy-five thousand dollars, the difference between said amounts shall be repaid to said town.

Certain appropriations by town of Hull validated, and available for payment required by § 1.

SECTION 3. Any appropriation or appropriations heretofore made by said town of Hull for the purpose of paying part of the cost of a state highway to be laid out and constructed in the same or substantially the same location as that specified hereunder are hereby validated and, without further vote of said town, are made available for making the payment required of it by section one. *Approved March 19, 1931.*

Chap. 120 AN ACT RELATIVE TO COSTS AND EXPENSES IN CERTAIN PROBATE PROCEEDINGS.

Be it enacted, etc., as follows:

G. L. 215, § 45, amended.

SECTION 1. Chapter two hundred and fifteen of the General Laws is hereby amended by striking out section forty-five and inserting in place thereof the following: —

Costs and expenses in certain probate proceedings.

Section 45. In contested cases before a probate court or before the supreme judicial court on appeal, costs and expenses in the discretion of the court may be awarded to either party, to be paid by the other, or may be awarded to either or both parties to be paid out of the estate which is the subject of the controversy, as justice and equity may require. In any case wherein costs and expenses, or either, may be awarded hereunder to a party, they may be awarded to his counsel or may be apportioned between them. Execution may issue for costs awarded hereunder.

Effective date.

SECTION 2. This act shall take effect September first in the current year. *Approved March 19, 1931.*

An Act to authorize insurance companies to insure against loss or damage to property caused by rolling stock of railways and against liability for such loss or damage. *Chap.* 121

Be it enacted, etc., as follows:

Section 1. Clause Second of section forty-seven of chapter one hundred and seventy-five of the General Laws, as most recently amended by chapter ninety-one of the acts of the current year, is hereby further amended by striking out, in the third line of subdivision (*f*), as appearing in section one of chapter one hundred and six of the acts of nineteen hundred and twenty-eight, the words "except rolling stock of railways", so that said subdivision will read as follows: — (*f*) against loss or damage to any property caused by teams, airplanes, seaplanes, dirigibles or other aircraft, motor vehicles or other vehicles, and against legal liability for loss or damage caused thereby to the property of another, but not including legal liability for bodily injury or death caused thereby. G. L. 175, § 47, cl. Second, subdivision (*f*), etc., amended. Purposes of incorporation of insurance companies.

Section 2. Clause Sixth of said section forty-seven, as so appearing, is hereby further amended by striking out, in the fifth line, the words ", except when caused by the rolling stock of railways", so as to read as follows: — Sixth, To insure, (*a*) any person against bodily injury or death by accident, or (*b*) any person against legal liability for loss or damage on account of the bodily injury or death of any person or on account of any damage to property of another, or (*c*) against loss or damage to, or loss of use of, motor vehicles except motor boats, airplanes, seaplanes, dirigibles or other aircraft, their fittings and contents, whether such vehicles or aircraft are being operated or not, and wherever the same may be, resulting from collision or accident, except loss or damage by fire or lightning or while being transported in any conveyance by land or water; (*d*) to make insurance upon the health of individuals; or (*e*) to insure the payment of workmen's compensation benefits under chapter one hundred and fifty-two. G. L. 175, § 47, cl. Sixth, etc., amended. Same subject.

Section 3. Clause Ninth of said section forty-seven, as so appearing, is hereby further amended by striking out, in the third and fourth lines, the words "and rolling stock of railways," so as to read as follows: — Ninth, To insure against loss or damage to any property caused by elevators, airplanes, seaplanes, dirigibles or other aircraft, motor or other vehicles, except motor boats, and against loss of use and occupancy caused thereby. G. L. 175, § 47, cl. Ninth, etc., amended. Same subject.

Approved March 19, 1931.

*Chap.*122 AN ACT PROVIDING A PROGRAM FOR THE ACCELERATION OF STATE HIGHWAY AND BUILDING CONSTRUCTION, IN ORDER TO ALLEVIATE THE PRESENT UNEMPLOYMENT EMERGENCY, AND FOR FURNISHING CERTAIN TEMPORARY FINANCIAL RELIEF TO CITIES AND TOWNS, TO BE FINANCED BY THE ISSUE OF SHORT TERM NOTES AND FROM THE PROCEEDS OF AN INCREASE IN THE GASOLINE TAX.

Emergency preamble.

Whereas, The deferred operation of this act would tend to defeat its purpose, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

Department of public works may expend an additional sum for construction of state highways.

SECTION 1. The department of public works is hereby authorized to expend for the construction of state highways the sum of seven million dollars, the same to be in addition to and in anticipation of any sum to be appropriated for the same purpose in the general appropriation act of the current year.

May acquire land in city of Boston for office purposes and construct building thereon, etc.

SECTION 2. The department of public works, with the approval of the governor, is hereby authorized, on behalf of the commonwealth, to acquire land in the city of Boston for a building for general office and headquarters purposes of the department, and, after plans therefor have been approved by the governor, to construct a building for these purposes on said land or, after approval of plans as aforesaid, to construct such a building on land already owned by the commonwealth; provided, that in lieu of acquiring land and constructing a building thereon or constructing a building on land already owned by the commonwealth, the department, if it so desires and the governor approves, may purchase, on behalf of the commonwealth, land and an existing building in said city suitable for the purpose and alter the same for its use. For the purpose of acquiring land for the construction of a new building as aforesaid, the department, on behalf of the commonwealth, may take in fee by eminent domain under chapter seventy-nine or eighty A of the General Laws such land as may be necessary. For the purposes of this section, the department may expend a sum not exceeding one million five hundred thousand dollars.

Proviso.

May take necessary land, etc.

Expenditure.

State treasurer may borrow on credit of commonwealth, issue and renew notes, etc.

SECTION 3. For the purposes of this act, the state treasurer, upon the request of the department of public works, shall borrow on the credit of the commonwealth such sums, not exceeding, in the aggregate, eight million five hundred thousand dollars, as may from time to time be required, and may issue and renew notes of the commonwealth, carrying such rates of interest as the state treasurer may fix, with the approval of the governor and council, such notes, whether original or renewal, to be payable not later than April thirtieth, nineteen hundred and thirty-five. Such notes shall be signed by the state treasurer, approved

by the governor and countersigned by the comptroller. All sums necessary to meet payments of principal and interest on account of said notes or renewals thereof shall be paid from the Highway Fund; but said notes and renewals thereof shall nevertheless be general obligations of the commonwealth. Principal and interest on account of notes or renewals to be paid from Highway Fund.

Section 4. There is hereby imposed an additional excise tax of one cent on each gallon of fuel, as defined in section one of chapter sixty-four A of the General Laws, sold in the commonwealth during the period beginning with the first day of May of the current year and ending with the thirtieth day of April, nineteen hundred and thirty-three, the same to be levied and collected, and the proceeds thereof disposed of, as provided in said chapter sixty-four A, and the provisions of said chapter shall apply to said additional excise to the same extent as to the normal excise levied thereunder. Additional excise tax on gasoline during certain period, etc.

Section 5. No assessments for or on account of any work done during the two fiscal years ending November thirtieth, nineteen hundred and thirty-one shall be made upon the several cities and towns of the commonwealth under section sixteen or nineteen of chapter eighty-one of the General Laws or upon any county under section nine of said chapter eighty-one, and during the two fiscal years ending November thirtieth, nineteen hundred and thirty-two, no assessments shall be made under sections fifty-six to fifty-nine, inclusive, of chapter ninety-two of the General Laws upon any city or town of the metropolitan parks district to meet one half the cost of the ordinary annual maintenance of boulevards but in each of said years the entire cost of such ordinary maintenance shall be appropriated from the Highway Fund. All amounts, including interest, that have been paid in advance by any county on account of assessments for or on account of work done in nineteen hundred and thirty shall be repaid forthwith to such county by the state treasurer without appropriation. During certain periods no assessments to be made upon cities, towns or counties for work done under certain provisions of law, etc.

Section 6. All the space suitable for office purposes and not used for the activities of the department of public works in any building constructed or acquired hereunder for its use shall be assigned for the use of other state departments. There shall annually be paid from the general revenue into the Highway Fund a sum equal to the amount which would have been received if the space so assigned to other state departments had been leased at fair market rates for equivalent spaces in privately owned buildings; provided, that the sum so to be paid shall be at least sufficient to cover the same ratio of the costs of maintenance and upkeep of the building and of a fair rate for interest and depreciation on the investment in said building as the space therein assigned to such other state departments bears to all the space suitable for office purposes in the said building. Office space not used by department of public works to be assigned for use of other state departments.

Sum to be equal to rate for equivalent spaces in privately owned buildings.

Proviso.

Section 7. There shall be paid from the Highway Fund on June first in each of the years nineteen hundred and Apportionment among cities and towns of

commonwealth, except towns entitled to state aid for repair, etc., of public ways, of certain sum to be paid from Highway Fund on June first in each of years 1931 and 1932, and to be expended only for construction, etc., of highways, etc.

thirty-one and nineteen hundred and thirty-two to the cities and towns of the commonwealth, except the towns entitled to state aid for repair and improvement of public ways under section twenty-six of chapter eighty-one of the General Laws, as most recently amended by chapter one hundred and seventy-one of the acts of nineteen hundred and thirty, the sum of two million five hundred thousand dollars, the same to be apportioned among such cities and towns in proportion to the amounts for which they were respectively assessed for the state tax of the year nineteen hundred and thirty, and any sum received by such a city or town hereunder, and any additional sum, not exceeding twenty-five dollars, received, as hereinafter provided, by a town entitled to state aid under said section twenty-six, shall be expended only for the construction, reconstruction or maintenance of highways, and shall, in the year of receipt, be included by the assessors thereof as an estimated receipt and deducted from the amount required to be raised by taxation to meet appropriations made in that year for highway purposes. For each of said years nineteen hundred and thirty-one and nineteen hundred and thirty-two the limitation of one hundred dollars per mile imposed by said section twenty-six upon the sums of money that may be expended by the commonwealth for the repair and improvement of public ways other than state highways in towns entitled to the benefits of said section is hereby increased to one hundred and twenty-five dollars per mile.

Temporary increase in limitation of amount that may be expended by state for repair, etc., of public ways other than state highways, in towns entitled to said benefits.

Approved March 24, 1931.

Chap. 123 AN ACT AUTHORIZING THE CITY OF HAVERHILL TO ESTABLISH AND MAINTAIN PUBLIC HOSPITALS AND TO ACQUIRE THE HALE HOSPITAL PROVIDED FOR SUCH PURPOSES.

Be it enacted, etc., as follows:

City of Haverhill may establish and maintain public hospitals, etc.

SECTION 1. The city of Haverhill may establish and maintain one or more public hospitals for the use of the inhabitants of said city, and others admitted thereto, who may require medical or surgical treatment, and may appropriate money for the establishment, equipment and maintenance of said hospital or hospitals.

May accept transfer and conveyance of real and personal property of The Hale Hospital.

SECTION 2. Said city is hereby authorized to accept the transfer and conveyance of all the property, real and personal, not charged with any trust, of The Hale Hospital from the trustees thereof, including all the accounts receivable, free funds and securities of said hospital, in consideration of the assumption and payment by said city of all the indebtedness of said hospital outstanding on the date of transfer. Said city is hereby further authorized, in consideration of the aforesaid, to receive from said trustees and to administer through the board of trustees provided under section three the trust funds and other property of said hospital in accordance with the terms and conditions govern-

Trust funds.

ing the administration thereof, on the condition that such transfer and management are authorized by a decree of a court of competent jurisdiction and in accordance with the conditions and terms of said decree. The management and control of all property received under this section shall be in said city through the trustees designated in section three. All employees of said hospital at the time the said city acquires the same shall continue to perform their usual duties as temporary employees of said city upon the same terms and conditions as existing at the time of said acquisition and unless removed for cause or appointed to permanent positions, prior to the expiration of six months from the date of such acquisition, shall become permanent employees of said city and shall thereafter hold office under civil service. Prior to the expiration of such period they may be appointed to permanent positions without civil service examinations.

Management, etc., of property.

Hospital employees to become permanent employees of city, etc.

Section 3. The members of the municipal council of said city shall be the trustees of all municipal hospitals of the said city, including the General Stephen Henry Gale Hospital, and the said Hale Hospital if acquired as provided under section two.

Members of municipal city council to be trustees of all municipal hospitals.

Section 4. For the purpose of providing adequate hospitals for the use specified in section one, with buildings necessary therefor, and of providing funds for meeting any obligations assumed by said city under section two, said city may borrow from time to time within a period of five years from the passage of this act, such sums of money as may be necessary, not exceeding, in the aggregate, one hundred thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Haverhill Hospital Loan, Act of 1931. Each authorized issue shall constitute a separate loan, and such loans shall be paid in not more than fifteen years from their dates, but no issue shall be authorized under this act unless a sum equal to an amount not less than ten per cent of such authorized issue is voted for the same purpose to be raised by the tax levy of the year when authorized. Indebtedness incurred under this act shall be outside the statutory limit, and shall, except as herein provided, be subject to the provisions of chapter forty-four of the General Laws, exclusive of the limitation contained in the first paragraph of section seven thereof, as revised by chapter three hundred and twenty-four of the acts of nineteen hundred and twenty-eight.

City may borrow money, issue bonds, etc.

Haverhill Hospital Loan, Act of 1931.

Section 5. This act shall take effect upon its passage.

Approved March 24, 1931.

An Act authorizing the Portuguese Association of the Holy Ghost, Incorporated, to hold real estate and confirming title to its present holdings. *Chap.* 124

Be it enacted, etc., as follows:

Section 1. The corporation known as Portuguese Association of the Holy Ghost, Incorporated, incorporated under general law and located in the town of Dighton, is hereby

Portuguese Association of the Holy Ghost, Incorporated, may

hold real estate.

authorized to hold real estate in said town to an amount not exceeding five thousand dollars. All of said property and the income derived therefrom shall be used for the purposes of said corporation as set forth in its charter or certificate of incorporation or in any amendment thereof.

Title to present real estate holdings confirmed.

SECTION 2. The title of said corporation to all real estate in said town standing in its name on the effective date hereof, in so far as it is affected by lack of statutory authority for the investment of funds of such corporations in real estate, is hereby confirmed.

SECTION 3. This act shall take effect upon its passage.

Approved March 24, 1931.

Chap. 125 AN ACT EXTENDING EXISTING PROVISIONS OF LAW GIVING CITIZENS OF THE COMMONWEALTH A PREFERENCE IN PUBLIC SERVICE AND WORK.

Emergency preamble.

Whereas, The deferred operation of this act would, in part, defeat its purpose to help relieve against the existing unemployment emergency, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

G. L. 31, § 19, amended.

Citizens to have preference in public service and work.

Chapter thirty-one of the General Laws is hereby amended by striking out section nineteen and inserting in place thereof the following: — *Section 19.* Except as otherwise provided by law, in all positions, employments and work in any branch of the service of the commonwealth, or of any county, city, town or district therein, citizens of the commonwealth shall be given preference. *Approved March 24, 1931.*

Chap. 126 AN ACT RELATIVE TO STATE FORESTS AND LANDS ACQUIRED BY THE COMMONWEALTH FOR REFORESTATION AND EXPERIMENT IN FOREST MANAGEMENT.

Emergency preamble.

Whereas, The deferred operation of this act would in part defeat its purpose, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

G. L. 132, § 2, etc., amended.

SECTION 1. Section two of chapter one hundred and thirty-two of the General Laws, as amended by section one of chapter two hundred and eighty-four of the acts of nineteen hundred and twenty-four, is hereby further amended by striking out the last two sentences and inserting in place thereof the following: — The commissioner may, subject to the approval of the deed and title by the attorney general, accept on behalf of the commonwealth gifts of land to be held and managed for experiment and illustration in forest management and for reforestation in accordance with such rules and regulations as the commissioner, with the approval of the

Commissioner of conservation may accept gifts of land for reforestation and experiment in forest management, etc.

governor and council, may prescribe. A donor of such land may reserve the right to buy back the land in accordance with such terms and conditions as may be agreed upon by and between such donor and the commissioner; but in the absence of such reservation in his deed of gift he shall not have such right. Donor may repurchase land.

Section 2. Section thirty-one of said chapter one hundred and thirty-two is hereby amended by striking out, in the first line, the words "the preceding section" and inserting in place thereof the words: — section thirty or thirty-three, — and by inserting after the word "forester" in the third line the following sentence: — Lands acquired by purchase for experiment and illustration in forest management and for reforestation under the provisions of chapter four hundred and seventy-eight of the acts of nineteen hundred and eight and amendments thereof, or of the corresponding provisions of later laws, as to which the period limited for repurchase by their original owners, or their heirs or assigns, in accordance with said provisions shall have expired without such repurchase, shall also be known as state forests and shall be under the control and management of the forester to the same extent as if acquired under section thirty, — so as to read as follows: — *Section 31.* Lands acquired under section thirty or thirty-three shall be known as state forests, and shall be under the control and management of the forester. Lands acquired by purchase for experiment and illustration in forest management and for reforestation under the provisions of chapter four hundred and seventy-eight of the acts of nineteen hundred and eight and amendments thereof, or of the corresponding provisions of later laws, as to which the period limited for repurchase by their original owners, or their heirs or assigns, in accordance with said provisions shall have expired without such repurchase, shall also be known as state forests and shall be under the control and management of the forester to the same extent as if acquired under section thirty. He shall reforest and develop such lands, and may, subject to the approval of the commissioner and advisory council of the department of conservation, make all reasonable regulations which in his opinion will tend to increase the public enjoyment and benefit therefrom and to protect and conserve the water supplies of the commonwealth. G. L. 132, § 31, amended. Management of state forests. Lands acquired by purchase for experiment in forest management and for reforestation under provisions of 1908, 478, etc., as to which period limited for their repurchase by original owners, etc., shall have expired, to be known as state forests.

Section 3. Section thirty-four A of said chapter one hundred and thirty-two, inserted by section three of chapter two hundred and eighty-eight of the acts of nineteen hundred and twenty-three, is hereby amended by striking out the first paragraph and inserting in place thereof the following: — G. L. 132, § 34A, amended.

The commissioner, with the approval of the governor and council, and after a public hearing, may sell or exchange any land acquired by the commonwealth under section thirty or thirty-three, chapter three hundred and forty-four of the acts of nineteen hundred and twenty-one, or chapter four hundred and seventy-eight of the acts of nineteen hundred and eight and amendments thereof or corresponding provi- Commissioner may sell, etc., certain land, etc.

May grant rights of way for public highways, etc.

May grant locations for certain public utilities, etc.

Proviso.

sions of later laws, and may in like manner grant rights of way for public highways over any such land, if in his judgment such sale, exchange or grant is advantageous to the commonwealth, and may execute such deeds of conveyance or other papers as may be necessary; and the commissioner may also grant over or across any such lands such locations as shall be found by order of the department of public utilities after public hearing to be required by public necessity or convenience for telephone, telegraph or electric light or power transmission lines, and as in his judgment are necessary and will serve the public interest, and may execute such papers as may be necessary; provided, that no sale or exchange of any land or interest therein acquired by the commonwealth under said chapter four hundred and seventy-eight and its amendments or corresponding provisions of later laws, which is subject to an option of repurchase, and that no grant either of right of way or location over or across the same, shall be made unless the holder of such option joins in the sale, exchange or grant.

G. L. 132, § 10, as amended, repealed.

SECTION 4. Section ten of said chapter one hundred and thirty-two, as amended by section one of chapter two hundred and seventy-one of the acts of nineteen hundred and twenty-one, is hereby repealed.

Lands acquired under provisions of 1908, 478, etc., to become part of state forests as period limited for their repurchase by original owners, etc., expires.

SECTION 5. All lands acquired by the commissioner of conservation under the provisions of said chapter four hundred and seventy-eight and its amendments or of the corresponding provisions of later laws, as to which the period limited for their repurchase by their original owners, or their heirs or assigns, in accordance with said provisions has not expired, shall continue to be held and managed, subject to repurchase and reconveyance, as therein provided, but as the said period shall from time to time expire in respect to any parcel of land so acquired without repurchase and reconveyance, said parcel shall become part of the state forests and shall be subject to section thirty-one of said chapter one hundred and thirty-two, as amended by section two of this act. *Approved March 24, 1931.*

Chap. 127 AN ACT AUTHORIZING THE CITY OF LAWRENCE TO BORROW MONEY FOR SCHOOL PURPOSES.

Be it enacted, etc., as follows:

City of Lawrence may borrow money for school purposes.

SECTION 1. For the purpose of constructing school buildings, and/or additions to existing school buildings where such additions increase the floor space of said buildings, and originally equipping and furnishing such new buildings and/or additions, and/or for acquiring land for school purposes, the city of Lawrence may borrow from time to time, within a period of three years from the passage of this act, such sums as may be necessary, not exceeding, in the aggregate, three hundred thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Lawrence School Loan, Act of 1931. Each authorized issue shall con-

Lawrence School Loan, Act of 1931.

stitute a separate loan, and such loans shall be paid in not more than fifteen years from their dates, but no issue shall be authorized under this act unless a sum equal to an amount not less than ten per cent of such authorized issue is voted for the same purpose to be raised by the tax levy of the year when authorized. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall, except as provided herein, be subject to chapter forty-four of the General Laws, exclusive of the limitation contained in the first paragraph of section seven thereof, as revised by chapter three hundred and twenty-four of the acts of nineteen hundred and twenty-eight.

Section 2. This act shall take effect upon its passage.

Approved March 24, 1931.

An Act to authorize the town of Manchester to maintain a tide gate and to fill the flats and tidal area in said town northeast of Beach street. *Chap.* 128

Be it enacted, etc., as follows:

Town of Manchester may maintain a tide gate and fill the flats and tidal area in said town northeast of Beach street.

Section 1. For the benefit of the public health, the town of Manchester is hereby authorized, subject to the provisions hereinafter set forth, to install and maintain a proper tide gate at some convenient point in Beach street, and, in accordance with plans therefor approved by the department of public works under the provisions of chapter ninety-one of the General Laws, to fill solid the flats and tidal area in said town lying northeast of Beach street and bounded northwesterly and northeasterly by property of Boston and Maine railroad, southeasterly by properties supposed to be now or formerly owned by Gustave Nahates, Rebekah Sandberg, Herman C. Swett, Margaret Swanson, Dominick Flatley, Mary F. Keneally, John J. Henry, Susan E. Hooper, John J. Connors, Annie M. Sinnicks, Margaret M. Sheehan and D. B. Hodgkins Company, and southwesterly by Beach street. The above area shall be filled to at least the level of one foot above mean high water, and the town in connection therewith, shall make proper provision for drainage of the filled area and of the surrounding territory naturally draining into or through the same.

May take necessary lands, flats, etc.

Section 2. Said town may take by eminent domain in accordance with the provisions of chapter seventy-nine of the General Laws, and amendments thereof, or upon vote of the town at any time to that effect, in accordance with chapters seventy-nine and eighty of the General Laws, as amended, such lands, flats or easements as may be necessary to carry out the purposes hereof. Any person sustaining damages in his property by any such taking shall be entitled to recover the same from said town under said chapter seventy-nine, as amended. Provided, however, that in the event the several owners of the various parcels to be filled in accordance with the provisions of this act shall

Property damages, recovery.

Proviso.

either release the town from all claims for damages by reason of any action of the town taken or to be taken under this act, or shall grant to the town the right to make such filling as may be necessary to carry out the purposes of this act, no betterments shall be assessed under the provisions of said chapter eighty or under any other provisions of law.

Powers may be exercised by committee, etc.

Section 3. The powers granted said town by sections one and two of this act may be exercised by a committee to be designated or appointed for that purpose by the town or if no such committee be designated or appointed, then by the selectmen.

Town may make appropriations to be included in tax levy, or may borrow money, issue notes, etc.

Section 4. Said town may from time to time provide for the payment of the expense of carrying out the undertaking authorized by this act, including damages recoverable in accordance with the provisions of section two, by appropriations to be included in the tax levy or may, within five years from the passage of this act, borrow inside the statutory limit a sum not exceeding twenty thousand dollars, and may issue notes for any moneys so borrowed, each of which notes shall bear on its face the words, Manchester Upper Harbor Filling Loan, Act of 1931, and shall be payable within five years from its date and otherwise in accordance with chapter forty-four of the General Laws; provided, that no money shall be borrowed and no notes shall be issued hereunder unless the sum of at least five thousand dollars toward payment of expense as aforesaid has been raised, or has been appropriated to be raised, by taxation in the year in which the loan is authorized.

Manchester Upper Harbor Filling Loan, Act of 1931.

Effective upon acceptance, etc.

Section 5. This act shall take effect upon its acceptance by the town of Manchester; but, for the purpose of such acceptance, it shall take effect upon its passage.

Approved March 24, 1931.

Chap. 129 An Act relative to the retirement of officers of the national guard and militia service.

Be it enacted, etc., as follows:

G. L., 33, § 98, amended.

Chapter thirty-three of the General Laws, as appearing in chapter four hundred and sixty-five of the acts of nineteen hundred and twenty-four, is hereby amended by striking out section ninety-eight and inserting in place thereof the following: — *Section 98.* Any commissioned officer in the militia service of the age of sixty-four shall be discharged, or placed upon the retired list, with the grade held by him at the time of making application therefor, provided that he complies with this chapter. Any commissioned officer in the militia service who has served as such in the active militia of the commonwealth for the period of ten years may, upon his own application, be placed upon the retired list with the rank held by him in the active militia; but an officer of the active militia who, at the time of making such application, has remained in the same grade for the

Retirement of officers of the national guard and militia service.

period of ten years, or has served as a commissioned officer for the period of fifteen years, or, having served in the army or navy of the United States in time of war and, having been honorably discharged therefrom, has also served as a commissioned officer in the active militia of the commonwealth for a period of five years, may be retired with the rank next in grade above that held by him during the six months preceding the time of making such application. Any commissioned officer who has served in the active militia of the commonwealth for the period of fifteen years, at least six of which have been as a commissioned officer, may be placed upon the retired list with the rank held by him in the active militia. Any commissioned officer in the active militia after the completion of twenty-five years or more of commissioned service may be placed upon the retired list with such increase in rank as the commander-in-chief may direct. A commissioned officer upon the retired list accepting a commission in the active militia may at any time, upon his own application, be placed again upon the retired list with the rank with which he was formerly retired; provided, that, if his latest service on the active list has entitled him to a grade on the retired list higher than that previously held by him, he shall be given such higher grade. At his own request, an officer of the active militia applying for retirement, or a retired officer, may be given any rank of the same grade then held by him or of a lower grade. All officers who held a commission in the Massachusetts volunteer militia prior to May twenty-eighth, nineteen hundred and eighteen, who would have been entitled to retirement as hereinbefore provided had the same been in effect, shall be entitled to apply for retirement under the provisions of this section. Service in the state guard shall be considered as service in the active militia. *Approved March 24, 1931.*

Retired officers on active list may be retired again.

Proviso.

Certain officers may apply for retirement.

An Act relative to the time of filing annual statements of condition by savings and insurance banks. *Chap.* 130

Be it enacted, etc., as follows:

Section twenty-nine of chapter one hundred and seventy-eight of the General Laws is hereby amended by striking out, in the first line, the word "twenty" and inserting in place thereof the word: — fifty, — and by striking out the second sentence, — so as to read as follows: — *Section 29.* The treasurer shall annually, within fifty days after the last business day in October, file with the commissioner of insurance and the commissioner of banks a statement showing the financial condition of the insurance department on the last business day of October. Such annual statement shall be in the form required by the commissioners, who shall embody therein so much of the forms now prescribed for life insurance companies and for savings banks as may seem to them appropriate, with any additional inquiries they may

G. L. 178, § 29, amended.

Annual statements of condition by savings and insurance banks.

require for the purpose of eliciting a complete and accurate exhibit of the condition and transactions of the banks. The assets and liabilities shall be computed and allowed in such statement in accordance with the rules governing insurance companies, except as herein otherwise provided. The president or vice president of the savings and insurance bank and five or more of its trustees shall make oath that the report is correct according to the best of their knowledge and belief. The commissioner of insurance and the commissioner of banks may also at any time require the treasurer to make such other statement of condition or furnish such other information concerning the insurance department as they deem necessary. *Approved March 24, 1931.*

Chap. 131 An Act repealing certain special provisions of law relative to the salary of the present physician and surgeon at the state prison.

Be it enacted, etc., as follows:

1919 (S.), 214, repealed.

Chapter two hundred and fourteen of the Special Acts of nineteen hundred and nineteen is hereby repealed.

Approved March 24, 1931.

Chap. 132 An Act relative to the transmission by city and town clerks to the state secretary of certified copies of records of certain births, marriages and deaths.

Be it enacted, etc., as follows:

G. L. 46, § 12, amended.

Section twelve of chapter forty-six of the General Laws is hereby amended by adding at the end thereof the words: — and transmit to the state secretary a certified copy of the record thereof, — so as to read as follows: — *Section 12.* Each town clerk shall forthwith make a certified copy of the record of each birth and death recorded during the previous month, if the parents of the child born or the deceased were residents of any other town in the commonwealth or in any other state at the time of said birth or death, and transmit it to the clerk of the town where such parents or deceased person were so resident, and in case of a birth, also to the town where the birth occurred, stating the name of the street and number of the house, if any, where such parents or deceased person so resided; and the clerk of a town in the commonwealth receiving such certified copy, or certified copies of births, marriages or deaths, from the clerk of a town without the commonwealth, shall record the same and transmit to the state secretary a certified copy of the record thereof. *Approved March 24, 1931.*

Copies of records of certain births, marriages and deaths.

Transmission to state secretary.

An Act relative to the abatement of uncollected local taxes on authorization by the commissioner of corporations and taxation. *Chap.* 133

Be it enacted, etc., as follows:

G. L. 58, § 8, etc., amended.

Chapter fifty-eight of the General Laws, as most recently amended in section eight by chapter two hundred and eighty-three of the acts of nineteen hundred and twenty-three, is hereby further amended by striking out said section and inserting in place thereof the following: — *Section 8.* Whenever it appears to the commissioner that at the end of two years from the commitment of any warrant to a collector any taxes upon such warrant remain uncollected, or if collected have not been turned over to the town treasurer, the commissioner shall within three months bring the matter to the attention of the attorney general, who may bring or cause to be brought an action of contract in the name of the town against the collector and upon his bond, in the superior court for the county where the town lies. Any amount recovered under this section shall be paid into the treasury of the town in whose name the action is prosecuted; but all reasonable expenses incurred by the attorney general in any such action shall be borne by the town, and may be recovered from it by the commonwealth in contract.

Proceedings against certain delinquent tax collectors.

If, at any time after the expiration of one year from the commitment of any warrant to a collector, the commissioner is of the opinion that any taxes thereon remaining uncollected should be abated, he may authorize the assessors, in writing, to abate any part or the whole of such taxes, either by items or by abatement of a sum total, stated in such written authorization. The assessors may thereupon make the abatement authorized and enter the same in their record of abatements, making reference in said record to such authorization as the cause or reason for the abatement.

Abatement of uncollected taxes.

Approved March 24, 1931.

An Act reviving Combo Manufacturing Company. *Chap.* 134

Be it enacted, etc., as follows:

Section 1. Combo Manufacturing Company, a corporation dissolved by chapter two hundred and thirty-eight of the acts of nineteen hundred and twenty-six, is hereby revived with the same powers, duties and obligations as if said chapter had not been passed.

Combo Manufacturing Company revived.

Section 2. This act shall be operative as of March thirty-first, nineteen hundred and thirty-one.

When operative.

Approved March 24, 1931.

Chap. 135 AN ACT RELATIVE TO THE LIABILITY OF RAILROAD CORPORATIONS FOR DAMAGES IN CASE OF COLLISIONS AT GRADE INVOLVING THEIR RAIL-BORNE MOTOR CARS.

Be it enacted, etc., as follows:

G. L. 160, § 232, amended.

SECTION 1. Section two hundred and thirty-two of chapter one hundred and sixty of the General Laws is hereby amended by inserting after the word "cars" in the second line the words: — or rail-borne motor cars, — and by inserting after the word "section" in the fourth line the words: — or to give signals by such means or in such manner as may be prescribed by orders of the department, — so as to read as follows: — *Section 232.* If a person is injured in his person or property by collision with the engines or cars or rail-borne motor cars of a railroad corporation at a crossing such as is described in section one hundred and thirty-eight, and it appears that the corporation neglected to give the signals required by said section or to give signals by such means or in such manner as may be prescribed by orders of the department, and that such neglect contributed to the injury, the corporation shall be liable for all damages caused by the collision, or to a fine recoverable by indictment as provided in section three of chapter two hundred and twenty-nine, or, if the life of a person so injured is lost, to damages recoverable in tort, as provided in said section three, unless it is shown that, in addition to a mere want of ordinary care, the person injured or the person who had charge of his person or property was, at the time of the collision, guilty of gross or wilful negligence, or was acting in violation of the law, and that such gross or wilful negligence or unlawful act contributed to the injury.

Liability for damages in case of collision at grade crossings, etc.

Department of public utilities, after a hearing, to fix and prescribe by order, regulations, practices, appliances and equipment to be observed and used by railroad corporations with respect to giving of signals by rail-borne motor cars.

SECTION 2. The department of public utilities is hereby directed to proceed, as soon as may be after the effective date of this act, under section sixteen of chapter one hundred and fifty-nine of the General Laws, to consider as to the regulations and practices observed by railroad corporations with respect to their rail-borne motor cars, and the equipment and appliances provided by said corporations to be used on such motor cars, in giving signals at or near places where the railroad crosses upon the same level any public way or traveled place and, after a hearing, to fix and prescribe by order the regulations, practices, appliances and equipment thereafter to be observed and used by railroad corporations with respect to the giving of signals by rail-borne motor cars as aforesaid.

Approved March 24, 1931.

Chap. 136 AN ACT ESTABLISHING THE COMPENSATION OF SPECIAL JUSTICES OF THE MUNICIPAL COURT OF THE CITY OF BOSTON.

Be it enacted, etc., as follows:

G. L. 218, § 52, amended.

SECTION 1. Section fifty-two of chapter two hundred and eighteen of the General Laws is hereby amended by striking

out, in the fifteenth and sixteenth lines, the word "twenty-five" and inserting in place thereof the word: — thirty, — so as to read as follows: — *Section 52.* The chief justice may from time to time make assignments for the attendance of a justice at the several times and places appointed for holding court. The chief justice, or, in case of his death, illness, absence or incapacity, the senior associate justice, if in his opinion the public business so requires, may provide for additional sessions of the court. A special justice may hold any such additional session at the request of the chief justice or senior associate as aforesaid, or a regular session at the request of the justice whose duty it may be to hold it, or, in case of the illness or absence of any justice, or a vacancy, at the request of any justice. During the continuance of such requests, or during such illness, absence or vacancy, a special justice shall have and exercise all the powers and duties of a justice. The fact of holding court and the fact which gave him jurisdiction shall be entered upon the general records of the court, but need not be stated in the record of any case heard by him. His compensation shall be thirty dollars for each day's service; and, except when holding an additional session as above provided, the compensation for service in excess of thirty days in any one year which may be rendered to or for any one justice shall be deducted by the treasurer of Suffolk county from the salary of such justice.

Municipal court of the city of Boston.

Assignment of justices, additional sessions.

Special justices, assignment, powers and duties.

Compensation.

Section 2. This act shall take effect upon its acceptance during the current year by the mayor and city council of the city of Boston, in accordance with the provisions of its charter. *Approved March 24, 1931.*

Effective upon acceptance, etc.

An Act relative to the jurisdiction of district courts in supplementary and other proceedings in civil actions against debtors. *Chap.* 137

Be it enacted, etc., as follows:

Section 1. Section six of chapter two hundred and twenty-four of the General Laws, as appearing in section two of chapter three hundred and thirty-four of the acts of nineteen hundred and twenty-seven, is hereby further amended by striking out, in the eighth, ninth, tenth and eleventh lines the following "; or if the defendant or debtor was arrested or lives or has a usual place of business or employment in the county of Suffolk, such proceedings may also be had in the municipal court of the city of Boston", — so that the first paragraph will read as follows: — Except as provided in section five, all proceedings for the examination, commitment or discharge of a defendant arrested on mesne process or on execution, and all supplementary proceedings under this chapter as to a judgment debtor, shall be had in the district court within whose judicial district the defendant or debtor was arrested or lives or has a usual place of business or employment; or, if the defendant or

G. L. 224, § 6, etc., amended.

Place of holding proceedings for examination, commitment or discharge of a defendant arrested on mesne process, etc.

debtor does not live or have a usual place of business or employment within the commonwealth, such proceedings may also be had in the district court within whose judicial district the record of the original action is kept. When arrested on mesne process, the defendant shall be allowed a reasonable time to procure bail or sureties for his recognizance, and when arrested on execution the debtor shall be allowed reasonable time to procure sureties for his recognizance. If not released, he shall be taken before a proper court, as provided in this chapter; or if he wishes to recognize he may be taken at his request before a master in chancery. A master in chancery or the court may accept his recognizance to the plaintiff or creditor with surety or sureties in a sum not less than the ad damnum of the writ, unless the court shall expressly fix a smaller sum, conditioned that he will have a time and place appointed for his examination before some court having jurisdiction, which time shall be within thirty days after the time of his arrest and, in case of an arrest on mesne process, before judgment, giving notice of the time and place thereof as provided in this chapter, and appear at the time and place appointed for his examination, and from time to time until the proceedings are concluded, and not depart without leave of the court, making no default at any time fixed for his examination, and abide the final order of the court thereon. If the arrest is made when the court is not sitting and the defendant or debtor does not recognize or give bail, the officer making the arrest may deliver him to the keeper of the jail, to be detained therein until the next sitting of the court, when he shall be delivered to said officer to be taken before the court. If the defendant, when taken before the court, does not give bail or recognize to its satisfaction, the court shall cause a certificate thereof to be attached to the writ, and the defendant shall be committed to jail until he gives bail or recognizes or until the time appointed for his examination, or, if no such time be appointed, then until the further order of the court, when he shall be delivered by the jailer to the officer who made the arrest, or, in his absence or disability, to any other officer, to be by him taken before the court.

Time allowed to procure bail, etc.

Recognizance, etc.

Defendant not giving bail or recognizing may be imprisoned.

When operative.

SECTION 2. This act shall become operative on July first of the current year and shall be applicable only in case of supplementary proceedings commenced on or after said date. *Approved March 24, 1931.*

Chap. 138 AN ACT RELATIVE TO THE OPERATION OF SEMI-TRAILER UNITS ON THE WAYS OF THE COMMONWEALTH.

Be it enacted, etc., as follows:

G. L. 85, § 30, etc., amended.

SECTION 1. Section thirty of chapter eighty-five of the General Laws, as most recently amended by section one of chapter three hundred and fifty-three of the acts of nineteen

hundred and thirty, is hereby further amended by inserting after the word "fifteen", in the eighth line, the words: — , or, in case of a semi-trailer unit, whether or not so equipped, more than twenty, — by striking out, in the twelfth and thirteenth lines, the words "semi-trailer unit or any other type of vehicle provided with three axles" and inserting in place thereof the words: — vehicle having three axles, of a type other than a semi-trailer unit, — and also by inserting after the word "of" in the fifteenth line the word: — such, — so as to read as follows: — *Section 30.* No vehicle shall travel or object be moved, on any public way, which has any device attached to or made a part of its wheels or the rollers or other supports on which it rests, which will injure the surface of the way; nor shall any vehicle travel or object be moved, on any public way, which weighs more than fourteen, or, in case of a vehicle equipped with pneumatic tires, more than fifteen, or, in case of a semi-trailer unit, whether or not so equipped, more than twenty, tons, without a permit from the board or officer having charge of such way, or, in case of a way determined by the department of public works to be a through route, from the commissioner of public works; provided, that a vehicle having three axles, of a type other than a semi-trailer unit, when operated on such through routes, may weigh more than fourteen, or, in case of such a vehicle equipped with pneumatic tires, more than fifteen, tons, but not more than twenty tons except when operated under a permit from said commissioner. No vehicle shall travel or object be moved on any public way, outside of the metropolitan parks or sewerage districts, the weight of which resting on the surface of such way exceeds eight hundred pounds upon any inch of the tire, roller or other support, without such a permit. Such a permit may limit the time within which it shall be in force and the ways which may be used and may contain any provisions or conditions necessary for the protection of such ways from injury. If, in the opinion of the board or officer having charge of any public way, the travel or moving thereon at any season of the year of any vehicle or object which weighs more than ten thousand pounds would cause injury to such way more serious than the ordinary wear and tear which the type of construction of such way is designed to withstand, such board or officer may by regulation prohibit such vehicle or object from passing over such way during such season without a permit therefor. All such regulations shall, when affecting ways which are determined by the department of public works to be through routes, be subject to the approval of such department. Such regulations shall be published and shall take effect as provided in case of rules and orders under section twenty-two of chapter forty and shall be posted in a conspicuous place at both ends of the part of said way from which traffic is prohibited thereby. Any person driving, operating or moving a vehicle or object in violation of this section or of any regulation adopted hereunder, or the owner

Use of public ways by heavy vehicles and other heavy objects regulated.

Semi-trailer units.

Proviso.

As to public ways outside of metropolitan parks or sewerage districts.

Permits, duration, conditions, etc.

Regulations as to such use in certain season of year, etc.

Approval by department of public works, when.

Publication and taking effect.

Liability for violations, etc.

thereof, shall be liable in tort to the body politic or corporate having charge of the way for any injury to the way thereby caused. All the aforesaid limitations as to weight shall be inclusive of the load.

G. L. 90, § 19, etc., amended.

Section 2. Chapter ninety of the General Laws, as most recently amended in section nineteen by chapter two hundred and ninety-seven of the acts of nineteen hundred and thirty, is hereby further amended by striking out said section and inserting in place thereof the following: — *Section 19.* No motor vehicle or trailer, the outside width of which is more than ninety-six inches or the extreme over-all length of which is more than twenty-eight feet, shall be operated on any way without a special permit so to operate from the board or officer having charge of such way or, in case of a state highway or a way determined by the department of public works to be a through route, from said department; provided, that such width may be exceeded by the lateral projection of pneumatic tires beyond the rims of the wheels for such distance on either side of the vehicle or trailer as will not increase its outside width above one hundred and two inches; and provided, further, that the extreme over-all length of a semi-trailer unit, wherever used, may exceed twenty-eight feet but not forty feet, and such length of any other motor vehicle, or any trailer, when used in localities or on ways designated by the said department may exceed twenty-eight feet but not thirty-three feet, except in either case as authorized by a special permit granted as aforesaid, and that, when used for the transportation of poles or single units of lumber or metal, such length may exceed twenty-eight feet but not sixty feet, except as authorized by a special permit granted as aforesaid. The aforesaid dimensions of width and length shall be inclusive of the load. No semi-trailer unit shall be operated on any way to draw any trailer or other vehicle except as authorized by a special permit granted as aforesaid or except in localities or on ways designated by said department, and in such localities or on such ways not more than one trailer or other vehicle shall be so drawn except as authorized by a special permit granted as aforesaid; and no other motor vehicle shall be operated on any way to draw more than one trailer or other vehicle. *Approved March 24, 1931.*

Restrictions as to dimensions of motor vehicles and trailers.

Proviso.

Dimensions to include load.

Operation of semi-trailer units regulated.

Drawing of trailers and other vehicles by motor vehicles regulated.

Chap. 139 An Act authorizing the city of Boston to construct and maintain a sewer on private and public land in the town of Dedham.

Be it enacted, etc., as follows:

City of Boston may construct and maintain a sewer on private and public land in town of Dedham.

Section 1. The city of Boston is hereby authorized to construct and maintain a sanitary sewer in the town of Dedham from a point at or near Edgemere road at the boundary line between said town and the West Roxbury district of the city of Boston, thence over private land in

said town to a point at or near the junction of Ware and Whiting streets, thence under Whiting and Colburn streets to the present location of the metropolitan sewer at or near said Colburn street in said town; provided, that the location of such sewer in any public way in said town shall be as designated by the selectmen of said town. Proviso.

Section 2. The board of street commissioners of said city, on behalf of said city, may take by eminent domain under chapter seventy-nine of the General Laws, or acquire by purchase or otherwise, private lands, together with any rights or easements in private lands necessary for carrying out the work authorized by section one and for the storage of materials or otherwise in connection therewith. Any person injured in his property by reason of any act done under authority of this act may recover damages from said city therefor under said chapter seventy-nine. Board of street commissioners may take, etc., private lands, etc. Property damages, recovery.

Section 3. Upon the completion of the sewer authorized by section one, or of any repairs thereon, said city shall restore, to the satisfaction of said selectmen, any public way in said town disturbed under authority of this act, and shall thereafter indemnify and hold harmless said town for and because of any loss, damage or expense which may result to it by reason of the construction and maintenance, or either of them, of such sewer. Any such loss, damage or expense so suffered by said town may be recovered by it from said city in an action of contract. City of Boston to restore any public way in Dedham disturbed under authority of act, and to indemnify said town for any loss, damage or expense, etc.

Section 4. This act shall take effect upon its passage.

Approved March 25, 1931.

An Act relative to sewer assessments in the town of Arlington. *Chap.* 140

Be it enacted, etc., as follows:

Section 1. The board of public works of the town of Arlington may determine the value of the benefit or advantage to every parcel of real estate in the town beyond the general advantage to all real estate therein from the construction hereafter of any sewer or extension of any existing sewer or from the doing of any other work in connection therewith, except particular sewers from common sewers to the lines of ways, and may assess on every such parcel a proportionate share of such part, not exceeding two thirds, of the expenses incurred by the town for the improvements aforesaid, as said board shall deem just; provided, that no assessment on any parcel of real estate shall exceed the value of the special benefit to that parcel. Sewer assessments on real estate in town of Arlington. Proviso.

Section 2. The town of Arlington may, at any town meeting, determine by vote or provide by by-law that not exceeding two thirds of the cost of the construction thereafter of any sewer or extension of any existing sewer or the doing of any other work in connection therewith, except particular sewers from common sewers to the lines of ways, Determination by vote or by by-law that not exceeding two thirds of cost of construction of any sewer, etc., shall be assessed upon

estates benefited, etc.

shall be assessed upon the estates specially benefited thereby, and that such cost shall be the actual expense incurred for any such construction or extension and other work in connection therewith, or the average cost, to be determined by the board of public works of said town in each year, of such construction and extension and other work in connection therewith in a period of not less than three years next preceding and excluding or including the year in which such average cost is to be determined, and in all such cases the board of public works shall apportion the proportionate part of the cost thereof prescribed by such vote or by-law upon the estates that they shall determine to be specially benefited by such improvement according to the frontage of estates upon any street or way in which a sewer is constructed, or according to the area of the estates within a specified distance from such street or way, or according to both frontage and area; provided, that no assessment on any parcel of real estate shall exceed the value of the special benefit to that parcel.

Apportionment of cost, etc.

Proviso.

Certain provisions of law applicable to assessments made under act.

SECTION 3. The provisions of chapter eighty-three of the General Laws so far as applicable and not inconsistent herewith, and also the provisions of chapter eighty of the General Laws relative to the apportionment, division, reassessment, abatement and collection of assessments, and to interest, shall apply to assessments made under this act.

Assessments to be a lien, etc.

Assessments made upon any estate under section one or two of this act shall be a lien upon the entire estate as assessed by the assessors of said town, notwithstanding that such assessments may have been determined with reference to only a portion thereof.

Certain powers of town, etc., not affected.

SECTION 4. Nothing contained in this act or in chapter two hundred and eighty-two of the acts of eighteen hundred and ninety-six shall prevent the town of Arlington or the said board of public works from assessing the cost of the construction and extension of its sewer system, or the cost of the construction hereafter of any sewer or extension of any existing sewer, from establishing charges for the use of common sewers, from requiring payment by the user of a common sewer for the permanent privilege of his estate, or from requiring payment for the use of common sewers or for particular sewers and/or the entrance thereof into common sewers, and the doing of any other work or thing in connection with any of the foregoing, in accordance with any method authorized by law.

SECTION 5. This act shall take effect upon its passage.

Approved March 25, 1931.

An Act authorizing the construction and maintenance of a footbridge over certain tide water in the town of Westport. *Chap.* 141

Be it enacted, etc., as follows:

Section 1. Adelard Giason, and his heirs and assigns, may erect and maintain a bridge, without a draw, connecting Goat or Great Island in the Westport river with the main land in the town of Westport, subject to the provisions of chapter ninety-one of the General Laws. Construction and maintenance of a footbridge over certain tide water in town of Westport.

Section 2. This act shall take effect upon its passage.

Approved March 26, 1931.

An Act relative to the operation within the commonwealth of motor vehicles or trailers owned by non-residents. *Chap.* 142

Be it enacted, etc., as follows:

Section 1. Section one of chapter ninety of the General Laws, as most recently amended in the paragraph defining "Non-resident" by chapter one hundred and eighty-nine of the acts of nineteen hundred and twenty-four, is hereby further amended by striking out said paragraph and inserting in place thereof the following: — G. L. 90, § 1, etc., amended.

"Non-resident", any person whose legal residence is not within the commonwealth. "Non-resident", definition.

Section 2. Said chapter ninety, as amended in section three by section one of chapter four hundred and thirty-one of the acts of nineteen hundred and twenty-three, is hereby further amended by striking out said section three and inserting in place thereof the following: — *Section 3.* Subject to the provisions of section three A and except as otherwise provided in section ten, a motor vehicle or trailer registered in any other state or country and owned by a non-resident who has complied with the laws relative to motor vehicles and trailers, and the operation thereof, of the state or country of registration may be operated on the ways of this commonwealth without registration under this chapter, to the extent, as to length of time of operation and otherwise, that, as finally determined by the registrar, the state or country of registration grants substantially similar privileges in the case of motor vehicles and trailers duly registered under the laws and owned by residents of this commonwealth; provided, that no motor vehicle or trailer owned by a non-resident shall be so operated beyond the expiration of a period of thirty days except during such time as the owner thereof maintains in full force a policy of liability insurance providing indemnity for or protection to him, and to any person responsible for the operation of such motor vehicle or trailer with his express or implied consent, against loss by reason of the liability to pay damages to others for bodily injuries, including death at any time re- G. L. 90, § 3, etc., amended. Rights of non-residents as to operation within the commonwealth of motor vehicles owned by them. Proviso.

sulting therefrom, caused by such motor vehicle or trailer, at least to the amount or limits required in a motor vehicle liability policy as defined in section thirty-four A, nor unless the owner or operator of such motor vehicle or trailer, while operating the same during such additional time, has on his person or in the vehicle in some easily accessible place a permit issued by the registrar which then authorizes the operation of such vehicle without registration under this chapter. The registrar or his authorized agents may, upon application, issue to any non-resident owner a permit as aforesaid in such form and subject to such conditions and regulations as the registrar may establish, if such owner satisfies him, by furnishing such evidence as he may require, that such owner is the holder of a policy of liability insurance providing indemnity or protection as aforesaid and will continue to maintain the same in full force during the life of the permit. The registrar may suspend or revoke the right of any non-resident operator to operate in this commonwealth, and may suspend or revoke the right of any non-resident owner to operate or have operated in this commonwealth any motor vehicle or trailer for the same causes and under the same conditions that he can take such action regarding resident owners, operators, motor vehicles and trailers owned in this commonwealth. Every such vehicle so operated shall have displayed upon it two number plates, substantially as provided in section six, bearing the distinguishing number or mark of the state or country in which such vehicle is registered, and none other except as authorized by this chapter.

Conditions as to issue of permit.

Suspension or revocation of rights.

Number plates.

G. L. 90, § 4, repealed.

SECTION 3. Section four of said chapter ninety is hereby repealed.

G. L. 90, § 6, etc., amended.

SECTION 4. Said chapter ninety, as amended in section six by section one of chapter three hundred and forty-two of the acts of nineteen hundred and twenty-two, is hereby further amended by striking out said section six and inserting in place thereof the following: — *Section 6.* Every motor vehicle or trailer registered under this chapter when operated in or on any way in this commonwealth shall have its register number displayed conspicuously thereon on the two number plates furnished by the registrar in accordance with section two or five or on temporary number plates authorized by the registrar as hereinafter provided, one number plate to be attached at the front and the other at the rear of said vehicle, so that the said number plates and the register number thereon shall be always plainly visible. The said number plates shall be kept clean and the numbers legible, and during the period when the vehicle is required to display lights the rear register number shall be illuminated so as to be plainly visible at a distance of sixty feet. No number plates other than such as are procured from the registrar or such as may be authorized by him for temporary use, except as provided in section three, shall be displayed on any motor vehicle or trailer so operated; provided,

Number plates on motor vehicles, etc.

No other number plates to be displayed, etc.

Proviso.

that a motor vehicle or trailer which by reason of its interstate operation is registered in this commonwealth and elsewhere may display the register number plates of this and any other state or country in which it is registered, if, while being operated on the ways of this commonwealth, the number plates furnished by the registrar, or temporary number plates authorized by him as hereinafter provided, are displayed as required hereby. If any number plate supplied by the registrar is lost or mutilated or if the register number thereon becomes illegible, the owner or person in control of the vehicle for which said number plate was furnished shall make application for a new number plate, and thereupon the registrar shall issue to such applicant a permit allowing him to place a temporary number plate bearing his register number on said vehicle until a number plate of the regular design is made and delivered to said applicant; provided, that all such temporary number plates and the register numbers thereon shall conform to the regular number plates and be displayed as nearly as may be as herein provided for said regular number plates.

Issue of number plates to replace those lost or mutilated.

Proviso.

Section 5. Said chapter ninety, as most recently amended in section ten by section four of chapter forty-seven of the acts of the current year, is hereby further amended by striking out said section ten and inserting in place thereof the following: — *Section 10.* No person shall operate a motor vehicle upon any way unless licensed under this chapter, except as is otherwise herein provided; but this section shall not prevent the operation of motor vehicles by unlicensed persons if riding with or accompanied by a licensed operator, excepting only persons who have been licensed and whose licenses are not in force because of revocation or suspension, persons whose right to operate is suspended by the registrar, and persons less than sixteen years of age; but such licensed operator shall be liable for the violation of any provision of this chapter, or of any regulation made in accordance herewith, committed by such unlicensed operator; provided, that the examiners of operators, in the employ of the registrar, when engaged in their official duty, shall not be liable for the acts of any person who is being examined. The motor vehicle of a non-resident may be operated on the ways of the commonwealth in accordance with section three by its owner or by his chauffeur or employee without a license from the registrar if the operator is duly licensed under the laws of the state or country where such vehicle is registered, or has complied fully with its laws respecting the licensing of operators of motor vehicles and has such license or evidence of such compliance on his person or in the vehicle in some easily accessible place; and a non-resident who holds a license to operate motor vehicles under the laws of the state or country in which he resides, and has the license on his person or in the vehicle in some easily accessible place, may at any time operate, without a license from the registrar, any type of motor vehicle which he is licensed to operate

G. L. 90, § 10, etc., amended.

Unlicensed persons not to operate motor vehicles, except, etc.

Proviso.

Operators of motor vehicles of non-residents.

under said license, irrespective of the ownership of such vehicle; provided, that the laws relative to registration are complied with and that, as finally determined by the registrar, his state or country grants substantially similar privileges to residents of this commonwealth and prescribes and enforces standards of fitness for operators of motor vehicles substantially as high as those prescribed and enforced by this commonwealth; but if any such non-resident or his chauffeur or employee be convicted by any court or trial justice of violating any provision of the laws of the commonwealth relating to motor vehicles or to the operation thereof, whether or not he appeals, he shall be thereafter subject to and required to comply with all the provisions of this chapter relating to the registration of motor vehicles owned by residents of the commonwealth and the licensing of the operators thereof. A record of the trial shall be sent forthwith by the court or trial justice to the registrar.

Proviso.

G. L. 90, § 33, etc., amended.

SECTION 6. Section thirty-three of said chapter ninety, as most recently amended by section five of said chapter forty-seven, is hereby further amended by striking out the thirteenth and fourteenth paragraphs, as appearing in section five of chapter three hundred and sixteen of the acts of nineteen hundred and twenty-eight, and inserting in place thereof the following: —

Fee for registration of motor vehicles or trailers during certain period.

For the registration of every motor vehicle or trailer by an owner who applies therefor under section two during the period beginning with the first day of October and ending with the thirty-first day of December in any year, one half of the fee for a full year's registration of said vehicle.

Registration of motor vehicles or trailers registered by non-residents for operation in current year, prior to effective date of act, to continue valid and effectual, etc.

SECTION 7. The registration of a motor vehicle or a trailer registered by a non-resident for operation in the current year, prior to the effective date of this act under provisions of law repealed thereby shall nevertheless continue valid and effectual for the remainder of the period of registration, and all rights, privileges and obligations pertaining to such registration shall continue in full force and effect for said period to the same extent as if said provisions had not been repealed. *Approved March 26, 1931.*

Chap. 143 AN ACT PROVIDING FOR THE PAYMENT OF COMPENSATION UNDER THE WORKMEN'S COMPENSATION LAW IN CERTAIN CASES IN ANTICIPATION OF THE SETTLEMENT OF A CONTROVERSY AS TO WHICH OF TWO OR MORE INSURERS IS LIABLE TO PAY THE SAME.

Be it enacted, etc., as follows:

G. L. 152, new section after § 15.

Payment of compensation under workmen's compensation law in certain cases in

Chapter one hundred and fifty-two of the General Laws is hereby amended by inserting after section fifteen the following new section: — *Section 15A.* If one or more claims are filed for an injury and two or more insurers, any one of which may be held to be liable to pay compensation therefor, agree that the injured employee would be entitled to

receive such compensation but for the existence of a controversy as to which of said insurers is liable to pay the same, such one of said insurers as they may mutually agree upon or as may be selected by a single member of the board shall pay to the injured employee the compensation aforesaid, pending a final decision of the board as to the matter in controversy, and such decision shall require that the amount of compensation so paid shall be deducted from the award if made against another insurer and be paid by said other insurer to the insurer agreed upon or selected by the single member as aforesaid. *Approved March 26, 1931.*

anticipation of settlement of controversy as to which of two or more insurers is liable to pay same.

An Act changing the name of Massachusetts agricultural college to Massachusetts state college. *Chap.* 144

Be it enacted, etc., as follows:

Section 1. The name of Massachusetts agricultural college, located at Amherst, Massachusetts, is hereby changed to Massachusetts state college.

Name of Massachusetts agricultural college changed to Massachusetts state college.

Section 2. Section one of chapter seventy-five of the General Laws is hereby amended by striking out, in the first line, the word "agricultural" and inserting in place thereof the word: — state, — so as to read as follows: — *Section 1.* The Massachusetts state college shall continue to be a state institution.

G. L. 75, § 1, amended.

Massachusetts state college a state institution.

Section 3. Section four of chapter fifteen of the General Laws, as amended by chapter three hundred and twenty-two of the acts of nineteen hundred and twenty-six, is hereby further amended by striking out, in the thirteenth line, the words "Agricultural College" and inserting in place thereof the words: — state college, — so as to read as follows: — *Section 4.* The commissioner shall be the executive and administrative head of the department. He shall have charge of the administration and enforcement of all laws, rules and regulations which it is the duty of the department to administer and enforce, and shall be chairman of the board. He shall organize in the department a division of public libraries, a division of immigration and Americanization, a division of the blind and such other divisions as he may determine. Each division shall be in charge of a director and shall be under the general supervision of the commissioner. Nothing in this chapter shall be construed as affecting the powers and duties of the trustees of the Massachusetts state college as set forth in chapter seventy-five.

G. L. 15, § 4, etc., amended.

Certain duties of commissioner of education.

Divisions in the department.

Certain powers, etc., of trustees of Massachusetts state college not affected.

Section 4. Section nineteen of said chapter fifteen, as amended by section one of chapter one hundred and thirty-five of the acts of nineteen hundred and twenty-eight, is hereby further amended by striking out, in the second line, the word "agricultural" and inserting in place thereof the word: — state, — so as to read as follows: — *Section 19.* The trustees of the Massachusetts state college, the board of

G. L. 15, § 19, etc., amended.

Certain trustees, etc., serving in the

department of education.

commissioners of the Massachusetts nautical school, the trustees of the Bradford Durfee textile school of Fall River, the trustees of the Lowell textile institute and the trustees of the New Bedford textile school shall serve in the department.

G. L. 15, § 20 and its heading, amended.

SECTION 5. Said chapter fifteen is hereby amended by striking out section twenty and its heading and inserting in place thereof under the heading "MASSACHUSETTS STATE COLLEGE" the following: — *Section 20.*

Trustees of Massachusetts state college.

There shall be a board of trustees of the Massachusetts state college, consisting of the governor, the commissioner of education, the commissioner of agriculture and the president of the college, ex officiis, and not more than fourteen appointive members. Upon the expiration of the term of office of any appointive member, his successor shall be appointed for seven years by the governor, with the advice and consent of the council. The appointive members shall serve without compensation, but their personal and incidental expenses shall be paid as are those of trustees of other public institutions.

G. L. 132, § 1, amended.

SECTION 6. Section one of chapter one hundred and thirty-two of the General Laws is hereby amended by striking out, in the sixth line, the words "Agricultural College" and inserting in place thereof the words: — state college, — so as to read as follows: — *Section 1.*

Duties of state forester.

The state forester, in this chapter called the forester, shall act for the commonwealth in suppressing the gypsy and brown tail moths; shall promote the perpetuation, extension and proper management of the public and private forest lands of the commonwealth; shall give such a course of instruction to the students of the Massachusetts state college on the art and science of forestry as may be arranged by the trustees of the college and the forester; and shall perform such other duties as may be imposed upon him by the governor and council.

1925, 253, § 1, amended.

SECTION 7. Section one of chapter two hundred and fifty-three of the acts of nineteen hundred and twenty-five is hereby amended by striking out, in the eighth line, the word "Agricultural" and inserting in place thereof the word: — State, — so as to read as follows: — *Section 1.*

Acceptance of provisions of act of congress providing for more complete endowment of agricultural experiment stations.

The commonwealth of Massachusetts hereby signifies its assent to and acceptance of the provisions of the act of congress entitled, "An Act To authorize the more complete endowment of agricultural experiment stations, and for other purposes", approved February twenty-fourth, nineteen hundred and twenty-five, and its acceptance of the grants of funds therein provided for, and the trustees of the Massachusetts State College, in charge of the Massachusetts agricultural experiment station, are hereby authorized to receive the funds granted by said act and to use and expend the same in accordance with the provisions thereof and in furtherance of the purposes and objects therein set forth.

1928, 393, § 1, amended.

SECTION 8. Section one of chapter three hundred and ninety-three of the acts of nineteen hundred and twenty-

eight is hereby amended by striking out, in the thirteenth and fourteenth lines, the word "Agricultural" and inserting in place thereof the word: — State, — so as to read as follows: — *Section 1.* The commonwealth of Massachusetts hereby signifies its assent to and acceptance of the provisions of the act of congress entitled, "An Act to provide for the further development of agricultural extension work between the agricultural colleges in the several States receiving the benefits of the Act entitled 'An Act donating public lands to the several States and Territories which may provide colleges for the benefit of agriculture and the mechanic arts,' approved July 2, 1862, and all Acts supplementary thereto, and the United States Department of Agriculture," approved May twenty-second, nineteen hundred and twenty-eight, and its acceptance of the grants of funds therein provided for, and the trustees of the Massachusetts State College, in charge of the Massachusetts agricultural experiment station, are hereby authorized to receive the funds granted by the act hereby assented to and to use and expend the same in accordance with the provisions thereof and in furtherance of the purposes and objects therein set forth. *Approved March 26, 1931.*

Acceptance of provisions of act of congress providing for further development of agricultural extension work between the agricultural colleges in certain states and the United States Department of Agriculture.

The Commonwealth of Massachusetts,
Executive Department,
State House, Boston, April 14, 1931.

Honorable Frederic W. Cook, *Secretary of the Commonwealth, State House, Boston.*

Sir: — I, Joseph B. Ely, by virtue of and in accordance with the provisions of the Forty-eighth Amendment to the Constitution, "The Referendum II, Emergency Measures", do declare that in my opinion the immediate preservation of the public peace, health, safety and convenience requires that the law passed on the twenty-sixth day of March, in the year nineteen hundred and thirty-one, entitled "An Act Changing the Name of Massachusetts Agricultural College to Massachusetts State College", should take effect forthwith, that it is an emergency law, and that the facts constituting the emergency are as follows: — because its delayed operation may result in serious inconvenience to representative young men from all sections of the Commonwealth who are entitled to receive certain benefits that the law provides.

Governor's declaration making law an emergency law.

Yours very truly,

JOSEPH B. ELY.

Office of the Secretary, Boston, April 15, 1931.

I hereby certify that the accompanying statement was filed in this office by His Excellency the Governor of the Commonwealth of Massachusetts at nine o'clock, A.M., on the above date, and in accordance with Article Forty-eight

Secretary of State's certificate as to filing of the Governor's declaration.

of the Amendments to the Constitution said chapter takes effect forthwith, being chapter one hundred and forty-four, acts of nineteen hundred and thirty-one.

F. W. COOK,
Secretary of the Commonwealth.

Chap. 145 AN ACT RELATIVE TO FURNISHING SURETY IN CRIMINAL CASES.

Be it enacted, etc., as follows:

G. L. 276, § 29, amended.

SECTION 1. Section twenty-nine of chapter two hundred and seventy-six of the General Laws is hereby amended by inserting after the word "sufficient" in the sixth line the words: — surety or, — so as to read as follows: — *Section 29.*

Recognizance out of county, if a misdemeanor.

If the crime charged in a warrant is not a felony, and the defendant requests to be taken before a magistrate of the county where he was arrested, for the purpose of entering into a recognizance without a trial or examination, the officer who arrested him shall take him before a magistrate of that county, who may require from him a recognizance, with sufficient surety or sureties, for his appearance at the court which has jurisdiction of the crime and next to be held in the county or judicial district in which it is alleged to have been committed, and upon entering into such recognizance the defendant shall be released.

G. L. 276, § 35, amended.

SECTION 2. Section thirty-five of said chapter two hundred and seventy-six is hereby amended by inserting after the word "with" in the seventh line the words: — surety or, — so as to read as follows: — *Section 35.*

Adjournment of trial or examination.

Except in proceedings under sections eleven to nineteen, inclusive, of chapter two hundred and seventy-three, the court or justice may adjourn an examination or trial from time to time, not exceeding ten days at any one time against the objection of the defendant, and to the same or a different place in the county. In the meantime, if the defendant is charged with a crime not bailable, he shall be committed; otherwise, he may recognize in a sum and with surety or sureties to the satisfaction of the court or justice, or without surety, for his appearance for such further examination, and for want of such recognizance he shall be committed.

Approved March 26, 1931.

Chap. 146 AN ACT REQUIRING CO-OPERATIVE BANKS TO MAINTAIN RESERVES, AND REGULATING SUCH RESERVES.

Be it enacted, etc., as follows:

G. L. 170, new section after § 40.

SECTION 1. Chapter one hundred and seventy of the General Laws is hereby amended by inserting after section forty the following new section: — *Section 40A.*

Co-operative banks to establish and maintain reserves.

Every such corporation shall establish and at all times maintain, as a reserve to meet withdrawals of shares and applications

for share loans, an amount equal to not less than three per cent of its total resources. Such reserve shall consist of any or all of the following: — (*a*) cash on hand; (*b*) balances payable on demand due from any trust company incorporated in this commonwealth or national banking association having its principal place of business within this commonwealth; (*c*) bonds of the United States; (*d*) bonds and notes of this commonwealth. If at any time subsequent to October first, nineteen hundred and thirty-two, the reserve of any such corporation falls below the amount herein required, such corporation shall not make any real estate loans, except additional loans and reloans upon property already mortgaged to such corporation, until such reserve shall have been fully restored. Regulation.

Section 2. The reserve required under section one of this act to be maintained by co-operative banks existing on the effective date of this act shall be accumulated and established as follows: — fifty per cent on or before October first in the current year, an additional twenty-five per cent on or before April first, nineteen hundred and thirty-two, and the balance on or before October first, nineteen hundred and thirty-two. *Approved March 26, 1931.* Reserve required under § 1, how accumulated and established.

An Act establishing the furnace village water district of easton. *Chap.* 147

Be it enacted, etc., as follows:

Section 1. The inhabitants of the town of Easton liable to taxation in that town and residing within the territory comprised within the following boundary lines, to wit: — Beginning at a stone monument marking the line between the town of Mansfield and the town of Easton in the westerly line of Chestnut street, and running thence south eighty-one degrees fifty-one minutes east, six thousand five hundred thirty and forty-four hundredths feet to a point in line of Poquanticut avenue about two hundred fifty feet north of its intersection with Chestnut street; thence south eighty degrees fifty-four minutes east four thousand two hundred seventy-four and seventy hundredths feet to a corner two hundred feet east of Bay street; thence south nineteen degrees thirty-eight minutes east four thousand six hundred eighty-five and eighty-seven hundredths feet to a stone bound in the easterly line of Depot street opposite Cross street; thence south twenty-one degrees sixteen minutes west one thousand one hundred six and ninety-seven hundredths feet to a corner of the wall; thence south ten degrees fourteen minutes west by a wall one thousand ninety-two and three tenths feet; thence south forty-three degrees thirty-five minutes west by a wall five hundred sixty-five and four tenths feet to Foundry street; thence south twenty-five degrees forty-six minutes west three thousand one hundred twenty and forty hundredths feet to a corner Furnace Village Water District of Easton established.

one hundred feet east of Bay street; thence north seventy-two degrees thirty-three minutes west ten thousand eight hundred forty-two and seventy-eight hundredths feet to a point in the southerly line of Highland street and in the line between the town of Easton and the town of Mansfield; thence northerly by said line eight thousand one hundred one and forty-six hundredths feet to said point of beginning, — shall constitute a water district, and are hereby made a body corporate by the name of the Furnace Village Water District of Easton, hereinafter called the district, for the purpose of supplying themselves with water for the extinguishment of fires and for domestic and other purposes, with power to establish fountains and hydrants and to relocate and discontinue the same, to regulate the use of such water and to fix and collect rates to be paid therefor, and to take by eminent domain under chapter seventy-nine of the General Laws, or acquire by lease, purchase or otherwise, and to hold for the purposes mentioned in this act, property, lands, rights of way and other easements, and to prosecute and defend all actions relating to the property and affairs of the district.

May contract with town of Mansfield, etc.

Section 2. For the purposes aforesaid, said district, acting by and through its board of commissioners hereinafter provided for, may contract with the town of Mansfield, or any other town or city, acting through its water department, or with any water company, or with any water district, for whatever water may be required, authority to furnish the same being hereby granted, and/or may take under chapter seventy-nine of the General Laws, or acquire by purchase or otherwise, and hold, the waters, or any portion thereof, of any pond or stream, or of any ground sources of supply by means of driven, artesian or other wells within the town of Easton, and the water rights connected with any such water sources; and for said purposes may take as aforesaid, or acquire by purchase or otherwise, and hold, all lands, rights of way and other easements necessary for collecting, storing, holding, purifying and preserving the purity of the water and for conveying the same to any part of said district; provided, that no source of water supply or lands necessary for preserving the quality of the water shall be so taken or used without first obtaining the advice and approval of the state department of public health, and that the location of all dams, reservoirs and wells to be used as sources of water supply under this act shall be subject to the approval of said department. Said district may construct on the lands acquired and held under this act proper dams, reservoirs, standpipes, tanks, buildings, fixtures and other structures, and may make excavations, procure and operate machinery and provide such other means and appliances, and do such other things as may be necessary for the establishment and maintenance of complete and effective water works; and for that purpose may construct wells and reservoirs and establish pumping works, and may construct, lay

May take waters of any pond, etc., in town of Easton, may take lands, rights of way, etc.

Proviso.

May construct dams, standpipes, etc., make excavations, etc.

May construct wells, etc., lay aqueducts, conduits, etc.

and maintain aqueducts, conduits, pipes and other works under or over any land, water courses, railroads, railways and public or other ways, and along such ways, in said town, in such manner as not unnecessarily to obstruct the same; and for the purposes of constructing, laying, maintaining, operating and repairing such conduits, pipes and other works, and for all proper purposes of this act, said district may dig up or raise and embank any such lands, highways or other ways in such manner as to cause the least hindrance to public travel on such ways; provided, that all things done upon any such way shall be subject to the direction of the selectmen of the town of Easton. Said district shall not enter upon, construct or lay any conduit, pipe or other works within the location of any railroad corporation except at such time and in such manner as it may agree upon with such corporation, or in case of failure so to agree, as may be approved by the department of public utilities.

May dig up and embank lands, highways, etc.

Proviso.

Requirements for entry upon railroad locations.

Section 3. Any person sustaining damages in his property by any taking under this act or any other thing done under authority thereof may recover such damages from said district under said chapter seventy-nine; but the right to damages for the taking of any water, water right or water source, or for any injury thereto, shall not vest until water is actually withdrawn or diverted under authority of this act.

Property damages, recovery, etc.

Section 4. For the purpose of paying the necessary expenses and liabilities incurred for the system of water supply under the provisions of this act, other than expenses of maintenance and operation, the said district may borrow from time to time such sums as may be necessary, not exceeding, in the aggregate, seventy-five thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Furnace Village Water District Loan, Act of 1931. Each authorized issue shall constitute a separate loan, and such loans shall be payable in not more than thirty years from their dates. Indebtedness incurred under this act shall be subject to chapter forty-four of the General Laws. The town of Easton may, at its annual town meeting or at a legal meeting called for the purpose, guarantee the payment of such bonds or notes.

District may borrow money, issue bonds, etc.

Furnace Village Water District Loan, Act of 1931.

Section 5. Said district shall, at the time of authorizing said loan or loans, provide for the payment thereof in accordance with section four of this act; and when a vote to that effect has been passed, a sum which, with the income derived from water rates, will be sufficient to pay the annual expense of operating its water works and the interest as it accrues on the bonds or notes issued as aforesaid by the district, and to make such payments on the principal as may be required under the provisions of this act, shall without further vote be assessed upon said district by the assessors of said town of Easton annually thereafter until the debt incurred by said loan or loans is extinguished.

Payment of loan, etc.

Section 6. Any land taken or acquired under this act shall be managed, improved and controlled by the commis-

Land acquired to be managed, etc., by board

of water commissioners.

sioners hereinafter provided for, in such manner as they shall deem for the best interest of the district.

Assessment of taxes.

SECTION 7. Whenever a tax is duly voted by said district for the purposes of this act, the clerk shall send a certified copy of the vote to the assessors of said town, who shall assess the same in the same manner in all respects in which town taxes are required by law to be assessed; provided, that no estate shall be subject to any tax assessed on account of the system of water supply under this act if, in the judgment of the board of water commissioners hereinafter provided for, after a hearing, such estate is so situated that it can receive no aid in the extinguishment of fire from the said system of water supply, or if such estate is so situated that the buildings thereon, or the buildings that might be constructed thereon, in any ordinary or reasonable manner could not be supplied with water from the said system; but all other estates in said district shall be deemed to be benefited and shall be subject to the tax. A certified list of the estates exempt from taxation under the provisions of this section shall annually be sent by the board of water commissioners to the assessors, at the same time at which the clerk shall send a certified copy of the vote as aforesaid. The assessment shall be committed to the town collector, who shall collect said tax in the manner provided by law for the collection of town taxes, and shall deposit the proceeds thereof with the district treasurer for the use and benefit of said district. Said district may collect interest on overdue taxes in the manner in which interest is authorized to be collected on town taxes.

Proviso.

Certified list of estates exempt from taxation.

Collection of taxes.

Meeting, how called.

SECTION 8. The first meeting of said district shall be called, within four years after the passage of this act, on petition of ten or more legal voters therein, by a warrant from the selectmen of said town, or from a justice of the peace, directed to one of the petitioners, requiring him to give notice of the meeting by posting copies of the warrant in two or more public places in the district seven days at least before the time of the meeting. Such justice of the peace, or one of the selectmen, shall preside at such meeting until a clerk is chosen and sworn, and the clerk shall preside until a moderator is chosen. After the choice of a moderator for the meeting the question of the acceptance of this act shall be submitted to the voters, and if it is accepted by two thirds of the voters present and voting thereon it shall take effect, and the meeting may then proceed to act on the other articles in the warrant.

Board of water commissioners, election, powers, etc.

SECTION 9. Said district shall, after the acceptance of this act as aforesaid, elect by ballot, either at the same meeting at which this act is accepted or at a special meeting thereafter called for the purpose, three persons to hold office, one until the expiration of three years, one until the expiration of two years, and one until the expiration of one year from the day of the next succeeding annual district meeting, to constitute a board of water commissioners; and at every annual meeting thereafter one such commissioner shall be elected by ballot for the term of three years. All the authority granted to said

district by this act, and not otherwise specifically provided for, shall be vested in said board of water commissioners, who shall be subject, however, to such instructions, rules and regulations as the district may by vote impose. Said commissioners shall appoint a treasurer of said district, who may be one of their number, who shall give bond to said district in such an amount as may be approved by the commissioners. A majority of the commissioners shall constitute a quorum for the transaction of business. Any vacancy occurring in said board from any cause may be filled for the remainder of the unexpired term by said district at any legal meeting called for the purpose. No money shall be drawn from the treasury of said district on account of the water works except upon a written order of said commissioners or a majority of them.

Treasurer of district.

Bond.

Quorum.

Vacancy.

Section 10. Said commissioners shall fix just and equitable prices and rates for the use of water, and shall prescribe the time and manner of payment. The income of the water works shall be appropriated to defray all operating expenses, interest charges and payments on the principal as they shall accrue upon any bonds or notes issued under authority of this act. If there should be a net surplus remaining after providing for the aforesaid charges, it may be appropriated for such new construction as said commissioners may recommend, and in case a surplus should remain after payment for such new construction the water rates shall be reduced proportionately. Said commissioners shall annually, and as often as said district may require, render a report upon the condition of the works under their charge, and an account of their doings, including an account of receipts and expenditures.

Commissioners to fix water rates, etc.

Income, how used.

Annual, etc., report.

Section 11. Said district may adopt by-laws prescribing by whom and how meetings may be called, notified and conducted; and, upon the application of ten or more legal voters in said district meetings may also be called by warrant as provided in section eight. Said district may also establish rules and regulations for the management of its water works, not inconsistent with this act or with law, and may choose such other officers not provided for in this act as it may deem necessary or proper.

Adoption of by-laws, calling of meetings, etc.

Section 12. Whoever wilfully or wantonly corrupts, pollutes or diverts any water obtained or supplied under this act, or wilfully or wantonly injures any reservoir, standpipe, aqueduct, pipe or other property owned or used by said district for any of the purposes of this act, shall forfeit and pay to said district three times the amount of damages assessed therefor, to be recovered in an action of tort, and upon conviction of any of the above acts shall be punished by a fine not exceeding one hundred dollars or by imprisonment in jail for not more than six months.

Penalty for polluting water, etc.

Section 13. For the purpose only of its acceptance, this act shall take effect upon its passage, and it shall take full effect upon its acceptance by a two thirds vote of the voters of said district present and voting thereon at a district meeting called, in accordance with the provisions of section eight,

Submission to voters of district, etc.

within four years after its passage; but it shall become void unless said district shall begin to distribute water to consumers within two years after its acceptance as aforesaid.

Referendum to voters on question of including certain real estate within district, etc.

Section 14. Upon a petition in writing addressed to said commissioners by any owner of real estate in said town, abutting on said district, setting forth that the petitioner desires to have certain accurately described portions of his real estate included in said district, said commissioners shall cause a duly warned meeting of said district to be called, at which meeting the voters may vote on the question of including said real estate within said district. If a majority of the voters present and voting thereon vote in the affirmative, the district clerk shall within ten days file with the town clerk of said town and with the state secretary an attested copy of said petition and vote, describing precisely the real estate added to said district; and thereupon said real estate shall become and be a part of said district and shall be holden under this act in the same manner and to the same extent as the real estate described in section one.

Approved March 30, 1931.

Chap. 148 An Act relative to allowances for traveling expenses of justices, special justices, clerks and assistant clerks of certain district courts.

Be it enacted, etc., as follows:

G. L. 218, § 81, etc., amended.

Chapter two hundred and eighteen of the General Laws, as amended in section eighty-one by chapter thirty-eight of the acts of nineteen hundred and twenty-five, is hereby further amended by striking out said section and inserting in place thereof the following: — *Section 81.* If sessions of a district court are held in more than one town in its district, the county commissioners of the county in which such district lies shall designate in which town the clerk's main office shall be established, and the justice, special justices, clerk and assistant clerks of such court shall each be allowed by the county his traveling expenses necessarily incurred in connection with holding sessions of said court at any town in the county other than the town of his residence. All expenses allowed under this section shall be subject to the approval of said county commissioners.

Allowances for traveling expenses of justices, special justices, clerks and assistant clerks of certain district courts.

Approved March 30, 1931.

Chap. 149 An Act authorizing the town of Norwell to supply itself and its inhabitants with water.

Be it enacted, etc., as follows:

Town of Norwell may supply itself and its inhabitants with water.

Section 1. The town of Norwell may supply itself and its inhabitants with water for the extinguishment of fires and for domestic and other purposes; may establish fountains and hydrants, relocate or discontinue the same, and may regulate the use of such water and fix and collect rates

to be paid for the use of the same. The said town for the purposes aforesaid may purchase water from the towns of Marshfield and Hanover and from the Hingham Water Company and the Scituate Water Company, or any of them, and may store the same, and may convey or distribute the same to the inhabitants of Norwell; and said towns and said companies are hereby, respectively, authorized to sell water to the town of Norwell. The price to be paid for water sold by said towns under this act shall be as agreed upon by the water commissioners of the municipalities concerned or, in case of their failure so to agree, as fixed by the department of public utilities. May purchase water from certain towns and from certain water companies, etc.

Section 2. The town of Norwell, for the purposes aforesaid, may lease, or take by eminent domain under chapter seventy-nine of the General Laws, or acquire by purchase or otherwise, and hold, the waters, or any portion thereof, of any pond, brook, spring or stream or of any ground water sources by means of driven or other wells or filter galleries, within the limits of said town, and the water rights and water sources connected therewith; and also may take by eminent domain under said chapter seventy-nine, or acquire by purchase or otherwise, and hold, all lands, rights of way and easements, not already appropriated for water supply purposes, necessary for collecting and storing such water and protecting and preserving the purity thereof and for conveying the same to any part of said town of Norwell; provided, that no source of water supply and no lands necessary for protecting and preserving the purity of the water shall be taken without first obtaining the advice and approval of the department of public health, and that the location of all dams, reservoirs, wells or filter galleries, filtration plants or other works to be used as sources of water supply under this act shall be subject to the approval of said department. Said town may construct and may erect on the lands taken or held under the provisions of this act proper dams, reservoirs, pumping and filtration plants, buildings, standpipes, fixtures and other structures, and may make excavations, procure and operate machinery and provide such other means and appliances and do such other things as may be necessary for the establishment and maintenance of complete and effective water works; and for that purpose may construct wells and reservoirs, establish pumping works, and lay down and maintain conduits, pipes and other works, under or over any lands, water courses, railroads or public or private ways, and along any such way in said town in such manner as not unnecessarily to obstruct the same; and for the purpose of constructing, laying, maintaining, operating and repairing such conduits, pipes and other works, and for all other proper purposes of this act, said town may dig up or raise and embank any such lands, highways or other ways in such manner as to cause the least hindrance to public travel thereon. Said town shall not enter upon, construct or lay any conduits, pipes or other works within

May acquire certain waters, etc.

May acquire certain lands, etc.

Proviso.

May erect structures, etc.

May construct wells, lay conduits, etc.

May dig up and embank lands, highways, etc.

Restrictions as to entry upon railroad locations.

the location of any railroad corporation except at such time and in such manner as it may agree upon with such corporation or, in case of failure so to agree, as may be approved by the department of public utilities.

Land acquired to be managed, etc., by board of water commissioners.

SECTION 3. The land, water rights and other property taken or acquired under this act, and all works, buildings and other structures erected or constructed thereunder, shall be managed, improved and controlled by the board of water commissioners hereinafter provided for, in such manner as they shall deem for the best interest of the town.

Property damages, recovery, etc.

SECTION 4. Any person or corporation injured in his or its property by any action of said town or board under this act may recover damages from said town under said chapter seventy-nine; provided, that the right to damages for the taking of any water, water source or water right, or any injury thereto, shall not vest until the water is actually withdrawn or diverted by said town under authority of this act.

Proviso.

Town may issue bonds, etc.

SECTION 5. Said town may, for the purpose of paying the necessary expenses and liabilities incurred or to be incurred under the provisions of this act, other than those pertaining to maintenance, issue from time to time bonds or notes to an amount not exceeding, in the aggregate, two hundred and ten thousand dollars, which shall bear on their face the words, Town of Norwell Water Loan, Act of 1931. Each authorized issue shall constitute a separate loan, and such loans shall be payable in not more than thirty years from their dates. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall, except as provided herein, be subject to chapter forty-four of the General Laws.

Town of Norwell Water Loan, Act of 1931.

Payment of loan, etc.

SECTION 6. Said town shall, at the time of authorizing said loan or loans, provide for the payment thereof in accordance with the provisions of section five; and when a vote to that effect has been passed, a sum which, with the income derived from the water rates, will be sufficient to pay the annual expense of operating the water works or the purchasing of water and the maintenance of its pipe lines, as the case may be, and the interest as it accrues on the bonds or notes issued as aforesaid, and to make such payments on the principal as may be required under the provisions of this act, shall without further vote be assessed by the assessors of the town annually thereafter in the same manner as other taxes, until the debt incurred by the said loan or loans is extinguished.

Penalty for polluting water, etc.

SECTION 7. Whoever wilfully or wantonly corrupts, pollutes or diverts any of the waters taken or held under this act, or injures any structure, work or other property owned, held or used by said town under the authority and for the purposes of this act, shall forfeit and pay to said town three times the amount of damages assessed therefor, to be recovered in an action of tort; and upon conviction of any one of the above wilful or wanton acts shall be punished by a fine

of not more than three hundred dollars or by imprisonment for not more than one year.

Board of water commissioners, election, terms, etc.

Section 8. The said town shall, after its acceptance of this act, at the same meeting at which the act is accepted or at a meeting thereafter called for the purpose, elect by ballot three persons to hold office, one until the expiration of three years, one until the expiration of two years, and one until the expiration of one year, from the next succeeding annual town meeting, to constitute a board of water commissioners; and at each annual town meeting held after the shortest of such terms has expired one such commissioner shall be elected by ballot for the term of three years. All the authority granted to the town by this act, except sections five and six, and not otherwise specially provided for shall be vested in said board of water commissioners, who shall be subject, however, to such instructions, rules and regulations as said town may impose by its vote. A majority of said commissioners shall constitute a quorum for the transaction of business. Any vacancy occurring in said board from any cause may be filled for the remainder of the unexpired term by said town at any town meeting called for the purpose. Any such vacancy may be filled temporarily by a majority vote of the selectmen, and the person so appointed shall hold office until the town fills the vacancy in the manner specified herein.

Authority, etc.

Quorum.

Vacancy.

Commissioners to fix water rates, etc.

Income, how used.

Section 9. Said commissioners shall fix just and equitable prices and rates for the use of water, and shall prescribe the time and manner of payment. The income of the water works shall be appropriated to defray all operating expenses, interest charges and payments on the principal as they accrue upon any bonds or notes issued for water supply purposes. If there should be a net surplus remaining after providing for the aforesaid charges it shall be appropriated for such new construction as the water commissioners, with the approval of the town, may determine upon, and in case a surplus should remain after payment for such new construction the water rates shall be reduced proportionately. All authority vested in said commissioners by the foregoing provisions of this section and by section three shall be subject to the provisions of section eight. Said commissioners shall annually, and as often as the town may require, render a report upon the condition of the works under their charge and an account of their doings, including an account of receipts and expenditures.

Annual, etc., report.

Submission to voters, etc.

Section 10. This act shall take effect upon its acceptance by a majority of the voters of the town of Norwell present and voting thereon at a town meeting called for the purpose within three years after its passage; but the number of meetings so called in any year shall not exceed three; and, for the purpose only of being submitted to the voters of said town as aforesaid, this act shall take effect upon its passage.

Approved March 30, 1931.

Chap. 150 AN ACT WITH RESPECT TO RETURNS OF PERSONAL AND REAL PROPERTY AND TO ABATEMENTS OF TAXES UPON SUCH PROPERTY.

Emergency preamble.

Whereas, The deferred operation of this act would cause substantial inconvenience, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

G. L. 59, § 29, amended.

SECTION 1. Section twenty-nine of chapter fifty-nine of the General Laws is hereby amended by adding at the end thereof the following new sentence: — The assessors may require from any person claiming under the seventeenth, eighteenth, twenty-second or twenty-third clause of section five an exemption from taxation, a full list of all such person's taxable property, both real and personal, — so as to read as follows: — *Section 29.* Assessors before making an assessment shall give seasonable notice thereof to all persons subject to taxation in their respective towns. Such notice shall be posted in one or more public places in each town, or shall be given in some other sufficient manner, and shall require the said persons to bring in to the assessors, before a date therein specified, in case of residents a true list, containing the items required by the commissioner in the form prescribed by him under section five of chapter fifty-eight of all their polls and personal estate not exempt from taxation, except intangible property the income of which is included in a return filed the same year in accordance with sections twenty-two to twenty-five, inclusive, of chapter sixty-two, and in case of non-residents and foreign corporations such a true list of all their personal estate in that town not exempt from taxation, and may or may not require such list to include their real estate subject to taxation in that town. It shall also require all persons, except corporations making returns to the commissioner of insurance as required by section thirty-eight of chapter one hundred and seventy-six, to bring in to the assessors before a date therein specified, which shall not be later than June first following, unless the assessors for cause shown extend the time to July first, true lists, similarly itemized, of all real and personal estate held by them respectively for literary, temperance, benevolent, charitable or scientific purposes on April first preceding, or at the election of any such corporation on the last day of its fiscal year last preceding said April first, and to state the amount of receipts and expenditures for said purposes during the year last preceding said days. The notice shall contain the provisions of section thirty-four. The assessors may require from any person claiming under the seventeenth, eighteenth, twenty-second or twenty-third clause of section five an exemption from taxation, a full list of all such person's taxable property, both real and personal.

Assessors to issue notices requiring lists, etc.

May require lists of real and personal property from persons claiming certain exemption from taxation.

Section 2. Said chapter fifty-nine is hereby further amended by striking out section sixty-one and inserting in place thereof the following: — *Section 61.* A person shall not have an abatement of a tax imposed upon his personal property subject to taxation, except as otherwise provided, unless he has brought in to the assessors a list of his personal estate as required by section twenty-nine. If such a list of his personal estate is not filed within the time specified in the notice required by said section twenty-nine, no part of the tax assessed on the personal estate shall be abated unless the applicant shows to the assessors a reasonable excuse for the delay, or unless such tax exceeds by fifty per cent the amount which would have been assessed on such estate, if the list had been seasonably brought in, and in such case only the excess over such fifty per cent shall be abated. An owner of real estate or a tenant of real estate paying rent and under obligation to pay more than one half of the taxes thereon may have an abatement of any assessment or tax upon real estate although no list of the owner's estate was brought in as required by the said notice; provided, that in any application for an abatement of such an assessment or tax the applicant shall include a sufficient description of the particular real estate as to which an abatement is requested.

G. L. 59, § 61, amended.

Conditions of abatements of taxes.

Proviso.

Section 3. Said chapter fifty-nine is hereby further amended by striking out section sixty-four, as amended by section thirteen of chapter four hundred and sixteen of the acts of nineteen hundred and thirty, and inserting in place thereof the following: — *Section 64.* A person aggrieved by the refusal of assessors to abate a tax may, within thirty days after receiving the notice provided in the preceding section, appeal therefrom by filing a complaint with the clerk of the county commissioners, or of the board authorized to hear and determine such complaints, for the county where the property taxed lies, and if on hearing the board finds that the property has been overrated, it shall make a reasonable abatement and an order as to costs. If the list of personal property required to be brought in to the assessors was not brought in within the time specified in the notice required by section twenty-nine, no tax upon personal property shall be abated unless the appellate board finds good cause for this delay or unless the assessors have so found as provided in section sixty-one. A tax or assessment upon real estate may be abated whether or not a list of property was brought in within the time specified by the notice required by section twenty-nine; provided, that the application for an abatement of such a tax or assessment included a sufficient description of the particular real estate as to which an abatement is requested.

G. L. 59, § 64, etc., amended.

Appeal to county commissioners.

Abatement of tax or assessment upon real estate.

Proviso.

Upon the filing of a complaint under this section the clerk of the county commissioners or of the board authorized to hear and determine the same shall forthwith transmit a certified copy of such complaint to the assessors and the assessors or the city solicitor or town counsel may within

Certified copy of complaint to be transmitted to assessors, etc.

thirty days after receipt of said copy give written notice to said clerk and to the complainant that the town elects to have the same heard and determined by the board of tax appeals. Thereupon, the clerk of the county commissioners or of the board authorized to hear and determine such complaints shall forward all papers with respect to such complaint then in the file of the county commissioners or other such board to the clerk of the board of tax appeals and proceedings with respect to such complaint shall thenceforth be continued as provided in chapter fifty-eight A. If upon hearing the board of tax appeals finds that the complainant is duly entitled to an abatement, it may grant him such reasonable abatement as justice may require, and shall enter an order directing the treasurer of the town to refund said amount, if the tax sought to be abated has been paid, together with all charges and interest on the amount of the abatement from the date of the payment of the tax. The board may make such order with respect to the payment of costs as justice may require. *Approved March 31, 1931.*

Hearing and determination by board of tax appeals.

Board may grant abatement, if, etc.

Costs.

Chap. 151 AN ACT PROVIDING FOR THE IMPROVEMENT OF LYNN HARBOR FOR NAVIGATION AND COMMERCE.

Be it enacted, etc., as follows:

City of Lynn may improve Lynn harbor for navigation and commerce.

SECTION 1. For the purpose of further improving Lynn harbor for navigation and commerce, the city of Lynn may dredge and maintain a suitable channel, at a point in said harbor, outside the harbor line established for said harbor by chapter three hundred and thirteen of the acts of eighteen hundred and sixty-seven, as shall be approved by the department of public works. Said channel shall be one hundred and fifty feet in width, twenty-two feet in depth and shall extend a distance of forty-eight hundred feet westerly from the inner end of the channel of the proposed federal improvement in Lynn harbor. Said city may construct and maintain a berth or berths with piers or other approaches adjacent thereto and do the necessary dredging therefor. The location of such proposed channel and the construction and maintenance of berths, piers or berth approaches shall be subject to the provisions of chapter ninety-one of the General Laws. The said city is further authorized and directed to deposit behind the bulkhead constructed under the provisions of chapter two hundred and sixty-seven of the acts of nineteen hundred and twenty-seven, the material dredged under the provisions of this act, and the said city shall cover said material with gravel or other suitable material.

May borrow money, issue bonds, etc.

SECTION 2. For the purposes of this act the city of Lynn may borrow from time to time, within a period of five years from the passage of this act, such sums as may be necessary, not exceeding, in the aggregate, three hundred thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Lynn Harbor Improvement

Lynn Harbor Improvement

Loan, Act of 1931. Each authorized issue shall constitute a separate loan, and such loans shall be paid in not more than ten years from their dates, but no issue shall be authorized under this act unless a sum equal to an amount not less than ten per cent of such authorized issue is voted for the same purpose to be raised by the tax levy of the year when authorized. Indebtedness incurred under this act shall be within the statutory limit and shall, except as provided herein, be subject to chapter forty-four of the General Laws, exclusive of the limitation contained in the first paragraph of section seven thereof, as revised by chapter three hundred and twenty-four of the acts of nineteen hundred and twenty-eight.

Loan, Act of 1931.

Section 3. This act shall take effect upon its acceptance by vote of the city council of said city, subject to the provisions of its charter; provided, that such acceptance occurs prior to September thirtieth in the current year. For the purposes of its acceptance this act shall take effect upon its passage. *Approved March 31, 1931.*

Submission to city council, etc.

Proviso.

An Act establishing the salary of the clerk of the district court of Dukes county. *Chap.* 152

Be it enacted, etc., as follows:

Chapter two hundred and eighteen of the General Laws, as most recently amended in section seventy-seven by section two of chapter two hundred and twenty-seven of the acts of nineteen hundred and twenty-seven, is hereby further amended by striking out said section seventy-seven and inserting in place thereof the following: — *Section 77.* The salaries of the justice of the district court of Dukes county and of Nantucket shall be fifteen hundred dollars each. The salary of the clerk of the district court of Dukes county shall be equal to seventy-five per cent of the salary of the justice of said court and the salary of the clerk of the district court of Nantucket shall be five hundred dollars.

Approved March 31, 1931.

G. L. 218, § 77, etc., amended.

Salaries of justices and clerks of district courts of Dukes and Nantucket counties.

An Act requiring registration with the state secretary in case of the change of name of women holding certain state offices. *Chap.* 153

Be it enacted, etc., as follows:

Chapter thirty of the General Laws is hereby amended by inserting after section seven A, inserted by section three of chapter four hundred and forty-nine of the acts of nineteen hundred and twenty-one, as amended by section one of chapter three hundred and seventy-one of the acts of nineteen hundred and twenty-two, the following new section: — *Section 7B.* Upon the change of name of any woman holding an executive, administrative or legislative office in the state government, she shall register her new name with the state secretary.

Approved March 31, 1931.

G. L. 30, new section after § 7A.

Registration with the state secretary required in case of change of name of women holding certain state offices.

Chap. 154 AN ACT CONSOLIDATING THE HIGH STREET CONGREGATIONAL CHURCH OF LOWELL, THE FIRST UNITARIAN SOCIETY IN LOWELL AND THE ALL SOULS CONGREGATIONAL-UNITARIAN SOCIETY IN LOWELL.

Be it enacted, etc., as follows:

High Street Congregational Church of Lowell, the First Unitarian Society in Lowell and the All Souls Congregational-Unitarian Society in Lowell, may consolidate into one corporation, etc.

SECTION 1. The High Street Congregational Church of Lowell, the First Unitarian Society in Lowell and the All Souls Congregational-Unitarian Society in Lowell, corporations established under the laws of the commonwealth, are hereby authorized to consolidate into one corporation, with all the privileges, powers and immunities to which other religious societies in the commonwealth are by law entitled, under the name of the All Souls Congregational-Unitarian Society in Lowell, which shall in all respects be a continuation of, and the lawful successor to, said existing corporations.

Consolidated corporation may receive and administer bequests, etc.

SECTION 2. Upon such consolidation, said consolidated corporation may receive from any of said existing corporations, however described, and may administer, all bequests, devises, conveyances and gifts heretofore or hereafter made to any such corporation and shall have and exercise in respect thereto the same powers, rights and privileges as if made to said consolidated corporation, on condition that no trust funds shall so be received and administered unless authorized by a decree of a court of competent jurisdiction and in accordance with the conditions and terms thereof.

Trust funds to be authorized by court decree, etc.

Delivery of papers, etc.

SECTION 3. Upon such consolidation, the treasurers of said existing corporations are hereby respectively authorized to execute and deliver, subject to section two, all papers and documents that may be deemed necessary or proper for the purpose of vesting in the consolidated corporation the property belonging respectively to the said existing corporations.

Consolidation complete upon filing of certified copies of acceptance, etc.

SECTION 4. Upon the acceptance of this act by each of the said existing corporations at a meeting duly called for the purpose, duly certified copies of the respective votes of acceptance shall be filed in the registry of deeds for the northern district of Middlesex county and the consolidation of said corporations shall thereupon be complete.

Effective upon passage for purpose of acceptance.

SECTION 5. For the purpose of its acceptance, this act shall take effect upon its passage.

Approved March 31, 1931.

Chap. 155 AN ACT RELATIVE TO APPROPRIATIONS FOR THE PAYMENT OF PENSIONS TO MEMBERS OF THE TEACHING AND SUPERVISING STAFF OF THE PUBLIC SCHOOLS OF THE CITY OF BOSTON.

Be it enacted, etc., as follows:

1919 (S), 206, § 1, par. (*g*), etc., amended.

SECTION 1. Paragraph (*g*) of section one of chapter two hundred and six of the Special Acts of nineteen hundred and nineteen, as amended by section one of chapter three hundred and eighty-two of the acts of nineteen hundred and twenty-

eight, is hereby further amended by adding at the end thereof the following: — ; provided, that so much only of said sum of five cents shall be appropriated under this paragraph in any year as, in the determination of the school committee, will, together with the amount of other sums available during that year for payment of such pensions, produce sufficient funds to make full payment on account of said pensions required in that year, — so as to read as follows: — (*g*) For the payment of pensions to members of the teaching or supervising staff of the public schools of said city, and to persons who were annuitants of the Boston Teachers' Retirement Fund at the time when chapter five hundred and eighty-nine of the acts of nineteen hundred and eight took effect, and other teachers who had retired prior to said time, in accordance with the provisions of said chapter five hundred and eighty-nine, chapter five hundred and thirty-seven of the acts of nineteen hundred and nine, chapter six hundred and seventeen of the acts of nineteen hundred and ten, and chapter five hundred and sixty-nine of the acts of nineteen hundred and twelve, and acts in amendment thereof, and of this act: for the financial year ending on the thirty-first day of December, nineteen hundred and twenty-eight, and for each financial year thereafter, five cents; provided, that so much only of said sum of five cents shall be appropriated under this paragraph in any year as, in the determination of the school committee, will, together with the amount of other sums available during that year for payment of such pensions, produce sufficient funds to make full payment on account of said pensions required in that year.

Appropriation by school committee of city of Boston for payment of pensions to teachers and supervising staff.

Proviso.

Section 2. This act shall take effect upon its passage.

Approved April 1, 1931.

An Act to authorize and empower the board of trustees for Melrose cemetery to care for and protect certain burial and burying grounds in the city of Brockton. *Chap.* 156

Be it enacted, etc., as follows:

The board of trustees for Melrose cemetery in the city of Brockton, established by chapter ninety-four of the Special Acts of nineteen hundred and nineteen, are hereby authorized and empowered to care for, keep in good order, and protect, in said city of Brockton, the burial and burying grounds described in sections sixteen and eighteen of chapter one hundred and fourteen of the General Laws, if specifically authorized so to do by the city council of the city of Brockton, to the extent of, and in accordance with, such authorization.

Board of trustees for Melrose cemetery may care for and protect certain burial and burying grounds in city of Brockton.

Approved April 1, 1931.

Chap. 157 AN ACT AUTHORIZING THE CITY OF CHICOPEE TO EXCHANGE CERTAIN LAND WITH THE CHICOPEE MANUFACTURING CORPORATION.

Be it enacted, etc., as follows:

City of Chicopee may convey two parcels of park land to Chicopee Manufacturing Corporation.

SECTION 1. The city of Chicopee may, in exchange for a certain parcel of land described in section two, convey to the Chicopee Manufacturing Corporation two parcels of park land located in said city and described and bounded as follows: —

Description and boundary.

First parcel.

First Parcel — Beginning at a stone bound in the westerly line of lot number twenty-eight as shown on plan of Hearthstone terrace, drawn by Cobb, Beesley and Miles, dated May, 1926, and to be recorded in Hampden County registry of deeds, and thence running northerly by lots numbered seventeen to twenty-eight, inclusive, as shown on said plan eight hundred eleven and ninety one-hundredths feet to the northerly line of land conveyed to Samuel Wiener by John P. Kirby, executor, by deed dated February twenty-sixth, nineteen hundred and twenty-six, and recorded in said registry; thence westerly by said northerly line four hundred thirty feet more or less to land of the Turners Falls Power and Electric Company; thence southerly on land of said Turners Falls Power and Electric Company eight hundred eighteen feet more or less to other land of said Turners Falls Power and Electric Company; thence easterly on said last mentioned land and land of the Chicopee Manufacturing Corporation four hundred sixty feet more or less to a point; and thence northeasterly on said land of the Chicopee Manufacturing Corporation one hundred sixty feet to the point of beginning;

Second parcel.

Second Parcel — Beginning on the westerly side of Hearthstone terrace as shown on the before mentioned plan, at the northeasterly corner of lot number twenty-four as shown on said plan, and thence running northerly on said Hearthstone terrace sixty feet to lot number twenty-two as shown on said plan; thence westerly by said lot number twenty-two, one hundred sixty feet to the first parcel as described above; thence southerly by said first parcel in a straight line sixty-three and twenty-three one-hundredths feet to the northwesterly corner of lot number twenty-four as shown on said plan; and thence easterly by said lot number twenty-four, one hundred eighty feet to the point of beginning; being lot number twenty-three as shown on said plan; said parcels being the same premises conveyed to the city of Chicopee by deed of Samuel Wiener, Charles W. Bray and Ethel M. Knight, dated September twenty-fourth, nineteen hundred and twenty-six, and recorded in Hampden County registry of deeds, book 1340, page 455.

May accept a certain parcel of land in exchange for land described in § 1.

SECTION 2. Said city of Chicopee may accept in exchange for the two parcels of park land described in the preceding section a certain parcel of land located in said

city and described and bounded as follows: — Beginning on Broadway at the northeasterly corner of land known as Lincoln grove, formerly of the Chicopee Manufacturing Company, and running thence northerly by said Broadway thirty-four and eighty-five one-hundredths feet; thence continuing northerly by said Broadway, at an angle of no degrees nine minutes to the right of the last course produced, one hundred and eleven and fifty-two one-hundredths feet to Pine street; thence northwesterly by said Pine street sixty-five and seventy one-hundredths feet to land now or formerly of Frank O. Cook et als.; thence southwesterly by said land now or formerly of Frank O. Cook et als., by a line at right angles to said Pine street, one hundred and twenty-five and ninety-eight one-hundredths feet to said land formerly of the Chicopee Manufacturing Company, and thence southeasterly by said last mentioned land one hundred sixty-three and forty-seven one-hundredths feet to the point of beginning; being the same premises conveyed to the Chicopee Manufacturing Corporation by deed of Irving H. Page dated October twenty-sixth, nineteen hundred and twenty-six, recorded in Hampden County registry of deeds, book 1194, page 561. After conveyance to said city the land described in this section shall be held for park purposes. *Approved April 1, 1931.*

Description and boundary.

AN ACT AUTHORIZING THE CITY OF CHICOPEE TO EXCHANGE CERTAIN PROPERTY WITH THE ROMAN CATHOLIC BISHOP OF SPRINGFIELD. *Chap.* 158

Be it enacted, etc., as follows:

SECTION 1. The city of Chicopee may, in exchange for a certain parcel of land described in section two, convey to the Roman Catholic Bishop of Springfield a certain parcel of land located in said city and held by it for park purposes, and bounded and described as follows: —

City of Chicopee may convey to Roman Catholic Bishop of Springfield a certain parcel of land.

Beginning at the northeasterly corner of Atwater park at land of Roman Catholic Bishop of Springfield, said point being about one hundred and ten and three tenths feet westerly from the westerly line of Hampden street; thence north eighty-five degrees twenty minutes west, six hundred fifty-six and seventy-one one-hundredths feet; thence north eighty-five degrees fifty-six minutes west, eight hundred forty-six and twenty-five hundredths feet; thence south two degrees fifty-eight minutes east, one hundred and seven and thirteen hundredths feet; thence south eighty-nine degrees forty-four minutes thirty seconds east, one thousand four hundred ninety-three and twenty-one one-hundredths feet to point of beginning, containing approximately eighty-two thousand seven hundred and eleven square feet.

Description and boundary.

SECTION 2. Said city of Chicopee may accept in exchange for the parcel of land described in the preceding

May accept a certain parcel of land in

exchange for land described in § 1.

Description and boundary.

section a certain parcel of land to be conveyed to it by the Roman Catholic Bishop of Springfield located in said city and bounded and described as follows: —

Beginning in the easterly line of land sold to Roman Catholic Bishop of Springfield by Mrs. Charles C. Abbey at a point one hundred and seven and thirteen one-hundredths feet in the easterly line thereof southerly from land of the Roman Catholic Bishop of Springfield; thence south two degrees fifty-eight minutes east in said easterly line, one hundred sixty-five and twenty-seven hundredths feet to the southeasterly corner thereof, thence northerly eighty-five degrees ten minutes west, three hundred and seven and forty one-hundredths feet; thence north seventy-nine degrees twenty-four minutes west, one hundred and twenty-five and thirty-nine one-hundredths feet; thence north eighty-seven degrees twelve minutes west, one hundred and ninety-four and twenty-one one-hundredths feet to an oak tree in the southwesterly corner thereof; thence north twelve degrees fifty-nine minutes east, one hundred and twelve and forty-seven one-hundredths feet; thence south eighty-nine degrees forty-four minutes thirty seconds east, five hundred and eighty-nine and forty-two one-hundredths feet to the point of beginning, containing approximately eighty-two thousand seven hundred and eleven square feet. After conveyance to said city the land described in this section shall be held for park purposes.

Approved April 1, 1931.

Chap. 159 AN ACT AUTHORIZING CITIES AND TOWNS TO REGULATE THE USE, OCCUPATION AND MAINTENANCE BY CLUBS OR ASSOCIATIONS OF DWELLING HOUSES OCCUPIED BY THEIR MEMBERS.

Be it enacted, etc., as follows:

G. L. 40, § 21, etc., amended.

Section twenty-one of chapter forty of the General Laws, as amended by chapter three hundred and nineteen of the acts of nineteen hundred and twenty-eight, is hereby further amended by adding at the end thereof the following new paragraph: —

Cities and towns may regulate the use, occupation and maintenance by clubs or associations of dwelling houses occupied by their members.

(15) For regulating the use, occupation and maintenance, by clubs or associations, whether or not incorporated, of dwelling houses used in common by any or all of their members. In addition to any other remedy provided by law for violation of any ordinance or by-law made under authority of this paragraph, the superior court shall have jurisdiction in equity to restrain any such violation.

Approved April 1, 1931.

An Act changing the location of a public bath house authorized to be built by the metropolitan district commission in the town of Winchester to a site in the city of Medford. *Chap.* 160

Be it enacted, etc., as follows:

Chapter two hundred and fifty-four of the acts of nineteen hundred and thirty is hereby amended by striking out, in the second, third and fourth lines, the words "on the southerly shore of the upper Mystic lake, in the town of Winchester" and inserting in place thereof the words: — below the Cradock bridge over the Mystic river in the city of Medford, — and by striking out, in the sixth, seventh and eighth lines, the words ", out of the metropolitan parks expense fund, such sum, not exceeding fifty thousand dollars, as may hereafter be appropriated" and inserting in place thereof the words: — the amount appropriated by item seven hundred and fifty-four *b* of chapter four hundred and twenty-six of the acts of nineteen hundred and thirty, — so as to read as follows: — The metropolitan district commission is hereby authorized and directed to construct, and thereafter to maintain, below the Cradock bridge over the Mystic river in the city of Medford, a public bath house, with dressing rooms and lockers and proper toilet facilities. Said commission may expend for this purpose the amount appropriated by item seven hundred and fifty-four *b* of chapter four hundred and twenty-six of the acts of nineteen hundred and thirty. The commission may, upon such terms and conditions and at such rent as it may deem proper, let concessions or privileges in connection with said bath house for the sale of refreshments or for the sale or rental of such other articles as it may determine, and may provide adequate quarters therefor, and may establish rules and regulations and make reasonable charges for the use of said bath house. All sums received for such use shall be paid to the state treasurer, and shall be placed by him to the credit of the metropolitan parks expense fund.

1930, 254, amended.

Metropolitan district commission may construct a public bath house below the Cradock bridge over the Mystic river in city of Medford.

Expenditure, etc.

Approved April 1, 1931.

An Act relative to the computation of length of service of police officers in certain towns for purposes of retirement. *Chap.* 161

Be it enacted, etc., as follows:

Chapter thirty-two of the General Laws is hereby amended by striking out section eighty-five and inserting in place thereof the following: — *Section 85.* The selectmen of every town which accepts this section or has accepted corresponding provisions of earlier laws by a two thirds vote at an annual town meeting shall retire from active service and place upon the pension roll any permanent member of the police department and any permanent member of the

G. L. 32, § 85, amended.

Pensions for policemen and firemen in towns.

fire department of such town found by them to be permanently incapacitated, mentally or physically, for useful service in the department to which he belongs, by injuries received through no fault of his own in the actual performance of his duty. They may also retire and place upon the pension roll any permanent member of either of said departments who has performed faithful service in the department for not less than twenty-five years continuously, and is not less than sixty. If a permanent member of the police department of such a town was, prior to the establishment of a police department therein, employed in said town as a police officer by appointment under section ninety-six of chapter forty-one, the period of such appointment shall be counted as a part of his continuous service as a permanent member of its police department. Every person so retired shall annually receive from the town as a pension a sum equal to one half of the annual compensation received by him at his retirement. The selectmen may in an emergency call upon any person so pensioned for such temporary service in the department from which he was retired as they may deem him fitted to perform, and during such service he shall be entitled to full pay.

Approved April 1, 1931.

Chap. 162 AN ACT RELATIVE TO THE ENFORCEMENT OF CERTAIN RULES, REGULATIONS AND ORDERS PERTAINING TO FIRE PREVENTION.

Emergency preamble.

Whereas, The deferred operation of this act would, in part, defeat its purpose, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public safety.

Be it enacted, etc., as follows:

G. L. 148, § 30, amended.

Chapter one hundred and forty-eight of the General Laws is hereby amended by striking out section thirty, as appearing in section one of chapter three hundred and ninety-nine of the acts of nineteen hundred and thirty, and inserting in place thereof the following: — *Section 30.* Violation of any lawful rule, order or regulation of the department or of any lawful rule or order of the marshal or of the head of a fire department, punishment whereof is not otherwise provided for, shall be punished by a fine of not more than ten dollars for each day during which such violation continues after notice to the offender. Such notice may be given by personal service or by posting the same in a conspicuous place on the premises affected thereby. The superior court shall have jurisdiction in equity to enforce any lawful rule, order or regulation of the department, or any lawful rule or order of the marshal or of the head of a fire department, upon application respectively of the commissioner, the marshal or the head of the fire department.

Penalty for violation of certain rules, etc., of department of public safety, or of any rule, etc., of state fire marshal, etc.

Notice.

Court enforcement.

Approved April 2, 1931.

An Act authorizing the town of Burlington to borrow money for school purposes. *Chap.* 163

Be it enacted, etc., as follows:

Section 1. For the purpose of acquiring land and constructing a senior-junior high school building, and originally equipping and furnishing the same, the town of Burlington may borrow from time to time, within a period of five years from the passage of this act, such sums as may be necessary, not exceeding in the aggregate sixty thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Burlington School Loan, Act of 1931. Each authorized issue shall constitute a separate loan, and such loans shall be paid in not more than fifteen years from their dates, but no issue shall be authorized under this act unless a sum equal to an amount not less than ten per cent of such authorized issue is voted for the same purpose to be raised by the tax levy of the year when authorized. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall, except as provided herein, be subject to chapter forty-four of the General Laws, exclusive of the limitation contained in the first paragraph of section seven thereof, as revised by chapter three hundred and twenty-four of the acts of nineteen hundred and twenty-eight.

Town of Burlington may borrow money for school purposes.

Burlington School Loan, Act of 1931.

Section 2. This act shall take effect upon its passage.

Approved April 2, 1931.

An Act relative to the incurring of indebtedness by cities and towns prior to the fixing of their tax rates in the current year. *Chap.* 164

Whereas, The deferred operation of this act would tend to defeat its purpose, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Emergency preamble.

Be it enacted, etc., as follows:

A city or town incurring debt under the provisions of section seven of chapter forty-four of the General Laws after the effective date of this act and before its tax rate for the current year has been fixed may, at its option, raise by taxation in said year for the purposes set forth in said authorization a sum equal to ten per cent of the loan authorized in lieu of raising for said purposes a sum equal to twenty-five cents on each one thousand dollars of its assessed valuation for the preceding year as required by said section seven.

Incurring of indebtedness by cities and towns prior to the fixing of their tax rates in the current year.

Approved April 2, 1931.

Chap. 165 AN ACT RELATIVE TO THE ASCERTAINMENT BY CITY AND TOWN CLERKS OF CERTAIN FACTS FOR BIRTH RECORDS.

Be it enacted, etc., as follows:

G. L. 46, § 5, amended.

Section five of chapter forty-six of the General Laws is hereby amended by striking out, in the first line, the word "shall" and inserting in place thereof the word: — may, — so as to read as follows: — *Section 5.* The clerk of each town may annually in January ascertain the facts required for record by section one relative to all children born during the preceding year and resident therein. When necessary to supply deficiencies in the birth records, he may enter therein any written information obtained by him but he shall not change facts already recorded except as provided in section thirteen or except to correct errors in copying from notices, reports or certificates on file in his office. If such an error is so corrected, a statement to that effect, signed by him, shall be entered upon the record.

City and town clerks may ascertain facts for record of births, and may correct deficiencies and clerical errors therein.

Approved April 2, 1931.

Chap. 166 AN ACT RELATIVE TO THE DISPOSITION OF CERTAIN INSANE PRISONERS.

Be it enacted, etc., as follows:

G. L. 123, § 103, etc., amended.

SECTION 1. Section one hundred and three of chapter one hundred and twenty-three of the General Laws, as amended by section two of chapter two hundred and thirteen of the acts of nineteen hundred and twenty-nine, is hereby further amended by striking out, in the tenth and eleventh lines, the words "there to be kept until returned to prison as provided in" and inserting in place thereof the words: — subject to the provisions of, — so as to read as follows: — *Section 103.* The superior court upon a report under the preceding section, if it considers the prisoner to be insane or in such mental condition that his commitment to an institution for the insane is necessary for his proper care or observation pending the determination of his insanity, and his removal expedient, shall issue a warrant, directed to the warden or superintendent, authorizing him to cause the prisoner, if a male, to be removed to the Bridgewater state hospital, and, if a female, to be removed to one of the state hospitals for the insane, subject to the provisions of section one hundred and five.

Insane prisoners, removal to state hospital.

G. L. 123, § 104, etc., amended.

SECTION 2. Section one hundred and four of said chapter one hundred and twenty-three, as amended by section three of said chapter two hundred and thirteen, is hereby further amended by striking out, in the seventeenth and eighteenth lines, the words "there to be kept until returned as provided in" and inserting in place thereof the words: — subject to the provisions of, — so as to read as follows: — *Section 104.* If a prisoner under sentence in a jail, house of correction, or prison other than one named in section one

Insane prisoners, removal from jails,

hundred and two, appears to be insane or in such mental condition that his commitment to an institution for the insane is necessary for his proper care or observation pending the determination of his insanity, the physician in attendance shall make a report thereof to the jailer or master who shall transmit the same to one of the judges mentioned in section fifty. If the judge finds in accordance with sections fifty and fifty-one that the prisoner is insane, or if he finds that the mental condition of the prisoner is such that his commitment to an institution for the insane is necessary for his proper care or observation pending the determination of his insanity, and that his removal is expedient, he shall order the removal of such prisoner, if a male to Bridgewater state hospital, if a female to one of the state hospitals for the insane, subject to the provisions of section one hundred and five; provided, that if a male prisoner has not been criminal and vicious in his life the judge may order him removed to one of the state hospitals. A physician, other than the physician in attendance at the place of detention, making the certificate, shall be entitled to the compensation provided by section seventy-three. houses of correction, etc. Proviso.

Section 3. Said chapter one hundred and twenty-three, as most recently amended in section one hundred and five by section four of said chapter two hundred and thirteen, is hereby further amended by striking out said section one hundred and five and inserting in place thereof the following: — *Section 105.* When in the opinion of the trustees and superintendent of the state hospital to which a prisoner has been committed or removed under section one hundred, one hundred and three or one hundred and four, or of the commissioner of correction and the superintendent of the state farm in case of commitment or removal to the Bridgewater state hospital, the mental condition of the prisoner is such that he should be returned to custody or to the penal institution from which he was taken, they shall so certify upon the warrant or commitment, and notice, accompanied by a written statement regarding the mental condition of the prisoner, shall be given to the proper custodian or to the warden, superintendent, keeper or master of such penal institution, as the case may be, who shall thereupon cause the prisoner to be reconveyed to such custodian, or to such penal institution, there to remain pursuant to the original sentence if committed or removed under section one hundred and three or one hundred and four, computing the time of his detention or confinement in the said hospital as part of the term of his imprisonment under such sentence; provided, that a prisoner committed or removed to a state hospital under section one hundred, one hundred and three or one hundred and four for his proper care or observation pending the determination of his insanity shall, unless found to be insane as hereinafter provided, be returned in the manner hereinbefore provided to the penal institution or custody whence so taken, not later than thirty-five days G. L. 123, § 105, etc., amended. Reconveyance to jail, etc., of prisoners restored to sanity. Proviso.

Discharge or temporary release of certain prisoners.

thereafter, but such prisoner shall in all other respects be subject to the provisions of this section. If a prisoner committed as insane under section one hundred, who has not been restored to sanity, is returned as aforesaid because in the opinion of the trustees and superintendent, or of the commissioner of correction and superintendent, as the case may be, neither the public interest nor the welfare of the prisoner will be promoted by his further retention in the hospital, they shall so certify upon the warrant or commitment and shall append thereto a report relative to the prisoner's mental condition as affecting his criminal responsibility and the advisability of his discharge or temporary release from the penal institution or custody to which he is returned.

Report to court, etc., of mental condition of prisoners committed or removed under §§ 100, 103 or 104, and found to be insane.

If a prisoner, committed or removed under section one hundred, one hundred and three or one hundred and four for his proper care or observation as aforesaid, is found by the trustees and superintendent or by the commissioner of correction and superintendent, as the case may be, to be insane, the finding shall be certified upon the warrant or commitment, and the superintendent of the institution shall report the prisoner's mental condition to the court or judge issuing the warrant or commitment, or in case of the death, resignation or removal of the judge, to his successor in office, or in case of the absence or disability of the judge, to any judge or special justice of the same court, with the recommendation that the prisoner be committed as an insane person.

Commitment.

The court, judge or justice may thereupon commit the prisoner to an institution for the insane, if, in the opinion of the court, judge or justice, such commitment is necessary.

Certain provisions applicable to prisoners committed, etc.

The provisions of this section relative to the return to custody or to a penal institution of a prisoner taken therefrom under section one hundred, one hundred and three or one hundred and four, shall apply, so far as apt, to a prisoner committed under this section.

Approved April 2, 1931.

Chap. 167 AN ACT PROVIDING FOR HEARINGS BY DULY APPOINTED COMMITTEES OF CITY COUNCILS IN CERTAIN PROCEEDINGS FOR THE LAYING OUT, REPAIRING, ALTERING, RELOCATING AND DISCONTINUING OF CERTAIN HIGHWAYS.

Be it enacted, etc., as follows:

G. L. 82, § 1, amended.

Section one of chapter eighty-two of the General Laws is hereby amended by adding at the end thereof the following: —, and any hearing under any provision of said sections required to be held before a city council or board of aldermen so authorized may be held before a duly authorized committee thereof, — so as to read as follows: — *Section 1.*

Jurisdiction of county commissioners as to highways.

County commissioners within their respective counties may lay out, alter, relocate and discontinue highways and order specific repairs thereon in the manner herein provided, unless other provision is made by law. Sections one to thirteen,

inclusive, shall apply to city councils or aldermen when authorized by city charters to lay out, alter, relocate and discontinue highways and to order specific repairs thereon, so far as applicable, and any hearing under any provision of said sections required to be held before a city council or board of aldermen so authorized may be held before a duly authorized committee thereof. *Approved April 2, 1931.*

Hearings by duly authorized committees of city councils in certain proceedings for laying out, etc., of certain highways.

An Act authorizing the city of Holyoke to use certain park land for school purposes. *Chap.* 168

Be it enacted, etc., as follows:

Section 1. The city of Holyoke is hereby authorized to use for school and school-yard purposes that portion of city park property adjoining the Morgan school in said city and bounded and described as follows: Beginning at the intersection of the easterly line of South Bridge street with the northerly line of Adams street; thence running northeasterly along the easterly line of South Bridge street forty-seven feet to a point; thence running southeasterly, and at a right angle to the easterly line of South Bridge street, one hundred twenty-six feet to a point; thence running northeasterly, and parallel to South Bridge street, one hundred thirty-three feet to a point; thence southeasterly, at a right angle to the last described line, one hundred twenty-six feet to the westerly line of South Summer street; thence southwesterly, along the westerly line of South Summer street, one hundred feet to a point; thence northwesterly, at a right angle to the westerly line of South Summer street, forty-three feet to a point; thence at a right angle to the last described line eighty feet to the northerly line of Adams street; thence northwesterly along the northerly line of Adams street two hundred nine feet to its intersection with the easterly line of South Bridge street and the place of beginning; containing twenty-five thousand, one hundred sixty-two square feet; and thereafter the portion aforesaid shall be under the same care and control as other school property.

City of Holyoke may use certain park land for school purposes.

Boundaries and description.

Section 2. This act shall take effect upon its passage. *Approved April 6, 1931.*

An Act authorizing the removal or alteration of certain structures on or under Washington street at Adams Square in the city of Boston. *Chap.* 169

Be it enacted, etc., as follows:

Section 1. Section one of chapter three hundred and thirty-three of the acts of nineteen hundred and twenty-five is hereby amended by adding at the end thereof the following: — The transit department of the city of Boston with the written consent of the Boston Elevated Railway Company is hereby authorized to make alterations in accordance

1925, 333, § 1, amended.

Transit department of city of Boston may remove or alter cer-

tain structures on or under Washington street at Adams square in the city of Boston.

Cost, how paid, etc.

with plans approved by the said company in the existing structures now located on and under the surface of Washington street at Adams square and used in connection with the Tremont street subway so called, and the treasurer of said city may pay one half of the expenses incurred in making said alterations, but not in any event exceeding seventeen thousand five hundred dollars, from bonds issued under the authority of, and subject to the provisions of, chapter five hundred and forty-eight of the acts of eighteen hundred and ninety-four and amendments thereof and additions thereto, and the balance of the cost of said alterations shall be paid out of the proceeds of the bonds authorized to be issued under the provisions of section three of this act, and under the provisions of section one of chapter three hundred and fifty-two of the acts of nineteen hundred and twenty-nine notwithstanding the limitation on the use of the proceeds of bonds issued under said section one of said chapter three hundred and fifty-two, contained in the proviso at the end of section two of said chapter. The treasurer of the city of Boston shall from time to time at the request of the transit department of said city issue and sell at public or private sale bonds of the said city to meet that part of the cost provided for herein to be met by the issuance of bonds under the provisions of said chapter five hundred and forty-eight and its amendments and additions.

SECTION 2. This act shall take effect upon its passage.

Approved April 6, 1931.

Chap. 170 AN ACT RELATIVE TO THE PAYMENT OF COMPENSATION UNDER THE WORKMEN'S COMPENSATION LAW FOR INJURIES RECEIVED BY CERTAIN PERSONS WHILE PERFORMING CERTAIN WORK UNDER ORDERS OF AN INSURED EMPLOYER OR HIS REPRESENTATIVE.

Be it enacted, etc., as follows:

G. L. 152, § 26, etc., amended.

Section twenty-six of chapter one hundred and fifty-two of the General Laws, as amended by section three of chapter three hundred and nine of the acts of nineteen hundred and twenty-seven and by chapter two hundred and five of the acts of nineteen hundred and thirty, is hereby further amended by inserting after the word "commonwealth", in the seventh line of the sentence added by said chapter two hundred and five, the following: —, and any person who, while engaged in the usual course of his trade, business, profession or occupation, is ordered by an insured person, or by a person exercising superintendence on behalf of such insured person, to perform work which is not in the usual course of such trade, business, profession or occupation, and, while so performing such work, receives a personal injury, — so that said sentence will read as follows: — For the purposes of this section, any person while operating or using a motor or other vehicle, whether or not belonging to his em-

Payment of compensation under workmen's compensation laws for

ployer, with his employer's general authorization or approval, in the performance of work in connection with the business affairs or undertakings of his employer, and whether within or without the commonwealth, and any person who, while engaged in the usual course of his trade, business, profession or occupation, is ordered by an insured person, or by a person exercising superintendence on behalf of such insured person, to perform work which is not in the usual course of such trade, business, profession or occupation, and, while so performing such work, receives a personal injury, shall be conclusively presumed to be an employee.

injuries received by employees while operating or using motor or other vehicles, and for injuries received by certain persons while performing certain work under orders of an insured employer or his representative.

Approved April 6, 1931.

An Act requiring the installation of certain equipment in connection with gas meters to prevent or retard the escape of gas in case of fire. *Chap.* 171

Be it enacted, etc., as follows:

Chapter one hundred and sixty-four of the General Laws is hereby amended by inserting after section seventy-five the following new section: — *Section 75A*. No gas company or municipality distributing gas shall, after January first, nineteen hundred and thirty-two, install or replace a meter for the purpose of measuring gas supplied to premises for illuminating or other purposes unless there shall have been attached to the intake pipe leading to the meter, in accordance with regulations to be prescribed and enforced by the department, an automatic device designed to prevent or retard the escape of gas in case of fire, and approved as to design and construction by the department.

G. L. 164, new section after § 75.

Installation of certain equipment required in connection with gas meters to prevent or retard the escape of gas in case of fire.

Approved April 6, 1931.

An Act to authorize the town of Burlington to supply itself and its inhabitants with water, and to sell water to the city of Woburn. *Chap.* 172

Be it enacted, etc., as follows:

Section 1. The town of Burlington may supply itself and its inhabitants with water for the extinguishment of fires and for domestic and other purposes; may establish fountains and hydrants, relocate or discontinue the same, and may regulate the use of such water and fix and collect rates to be paid for the use of the same.

Town of Burlington may supply itself and its inhabitants with water.

Section 2. The said town, for the purposes aforesaid, may lease, or take by eminent domain under chapter seventy-nine of the General Laws, or acquire by purchase or otherwise, and hold, the waters, or any portion thereof, of any pond, brook, spring or stream or of any ground water sources by means of driven or other wells or filter galleries, within the limits of said town, and the water rights and water sources connected therewith; provided, that the amount of water which may be taken shall from time to time be determined

May lease, take or acquire, certain waters within limits of town.

Proviso.

by vote of the town; and also may take by eminent domain under said chapter seventy-nine, or acquire by purchase or otherwise, and hold, all lands, rights of way and easements necessary for collecting and storing such water and protecting and preserving the purity thereof and for conveying such water to any part of said town; provided, that no source of water supply and no lands necessary for protecting and preserving the purity of the water shall be taken without first obtaining the advice and approval of the department of public health, and that the location of all dams, reservoirs, pumping and filtration plants, wells and filter galleries to be used as sources of water supply under this act shall be subject to the approval of said department. Said town may construct and may erect on the lands taken or held under the provisions of this act proper dams, reservoirs, buildings, standpipes, fixtures and other structures, and may make excavations, procure and operate machinery, and provide such other means and appliances and do such other things as may be necessary for the establishment and maintenance of complete and effective water works; and for that purpose may construct wells and reservoirs, establish pumping works and lay down and maintain conduits, pipes and other works, under or over any lands, water courses, railroads, railways, or public or private ways, and along any such way in said town, in such manner as not unnecessarily to obstruct the same; and for the purpose of constructing, laying, maintaining, operating and repairing such conduits, pipes and other works and for all other proper purposes of this act, said town may dig up or raise and embank any such lands. Said town shall not enter upon, construct or lay any conduits, pipes or other works within the location of any railroad corporation except at such time and in such manner as it may agree upon with such corporation or in case of failure so to agree as may be approved by the department of public utilities.

Proviso

May erect proper dams, buildings, etc.

May construct wells, lay conduits, pipes, etc.

Restrictions as to entry upon railroad locations.

Control, etc., of property by board of water commissioners.

SECTION 3. The land, water rights and other property taken or acquired under this act, and all works, buildings and other structures erected or constructed thereunder, shall be managed, improved and controlled by the board of water commissioners hereinafter provided for, in such manner as they shall deem for the best interests of the town.

Property damages, recovery.

SECTION 4. Any person or corporation injured in his or its property by any action of said town or board under this act may recover damages from said town under said chapter seventy-nine; provided, that the right to damages for the taking of any water, water source or water right, or any injury thereto, shall not vest until the water is actually withdrawn or diverted by said town under authority of this act.

Proviso.

Town may issue bonds, etc.

SECTION 5. Said town may, for the purpose of paying the necessary expenses and liabilities incurred or to be incurred under the provisions of this act, other than expenses of maintenance and operation, issue from time to time bonds or notes to an amount, not exceeding, in the aggregate, two

hundred thousand dollars, which shall bear on their face the words, Town of Burlington Water Loan, Act of 1931. Each authorized issue shall constitute a separate loan, and such loans shall be payable in not more than thirty years from their dates. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall, except as provided herein, be subject to chapter forty-four of the General Laws.

Town of Burlington Water Loan, Act of 1931.

Section 6. Said town shall, at the time of authorizing said loan or loans, provide for the payment thereof in accordance with the provisions of section five; and when a vote to that effect has been passed, a sum which, with the income derived from the water rates, will be sufficient to pay the annual expense of operating the water works, or the purchasing of water and the maintenance of its pipe lines, and interest as it accrues on the bonds or notes issued as aforesaid, and to make such payments on the principal as may be required under the provisions of this act, shall without further vote be assessed by the assessors of the town annually thereafter in the same manner as other taxes, until the debt incurred by the said loan or loans is extinguished.

Payment of loan, etc.

Section 7. Whoever wilfully or wantonly corrupts, pollutes or diverts any of the waters taken or held under this act, or injures any structure, work or other property owned, held or used by said town under the authority and for the purposes of this act, shall forfeit and pay to said town three times the amount of damages assessed therefor, to be recovered in an action of tort; and upon conviction of any one of the above wilful or wanton acts shall be punished by a fine of not more than three hundred dollars or by imprisonment for not more than one year.

Penalty for polluting water, etc.

Section 8. The said town shall, after its acceptance of this act, at the same meeting at which the act is accepted or at a meeting thereafter called for the purpose, elect by ballot three persons to hold office, one until the expiration of three years, one until the expiration of two years, and one until the expiration of one year, from the next succeeding annual town meeting, to constitute a board of water commissioners; and at the annual town meeting held on the day on which the shortest of such terms expires, and at each annual town meeting thereafter, one such commissioner shall be elected by ballot for the term of three years. All the authority granted to the town by this act, except sections five and six and except as otherwise specifically provided, shall be vested in said board of water commissioners, who shall be subject however to such instructions, rules and regulations as said town may impose by its vote. A majority of said commissioners shall constitute a quorum for the transaction of business. Any vacancy occurring in said board from any cause may be filled for the remainder of the unexpired term by said town at any annual town meeting called for the purpose. Any such vacancy may be filled temporarily in the manner provided by section eleven of chapter forty-one of the General Laws, and the person so appointed shall per-

Board of water commissioners, election, terms, etc.

Quorum.

Vacancy, how filled.

form the duties of the office until the next annual meeting of said town or until another person is qualified.

To fix water rates, etc.

Section 9. Said commissioners shall fix just and equitable prices and rates for the use of water, and shall prescribe the time and manner of payment. The income of the water works shall be appropriated to defray all operating expenses, interest charges and payments on the principal as they accrue upon any bonds or notes issued under authority of this act.

Net surplus, how to be used.

If there should be a net surplus remaining after providing for the aforesaid charges it shall be appropriated for such new construction as the water commissioners, with the approval of the town, may determine upon, and in case a surplus should remain after payment for such new construction the water rates shall be reduced proportionately. All authority vested in said commissioners by the foregoing provisions of this section and by section three shall be subject to the provisions of section eight. Said commissioners shall annually, and as often as the town may require, render a report upon the condition of the works under their charge and an account of their doings, including an account of receipts and expenditures.

Annual, etc., reports.

Town may furnish and sell water to city of Woburn.

Section 10. The town of Burlington may furnish and sell by meter water to the city of Woburn, or to the inhabitants of said city for such periods of time, in such manner and in such amounts as said town may from time to time by vote determine, and for the purpose aforesaid the said town by its water commissioners may make a contract or contracts for a term or terms not to exceed fifteen years from the date thereof. Such water shall be furnished and sold, at a rate to be mutually agreed upon, at the boundary line between said town of Burlington and said city; and said town of Burlington may, at its own expense, extend within its limits its water mains and install other fixtures necessary to supply water to said city, or to the inhabitants thereof.

Rate, etc.

City of Woburn may purchase water from town of Burlington.

Section 11. The city of Woburn may purchase water from the town of Burlington and may extend their water mains and install other fixtures necessary or proper to receive and distribute such water.

Effective upon acceptance, etc.

Section 12. This act shall take effect upon its acceptance by a majority of the voters of the town of Burlington present and voting thereon at a town meeting called for the purpose within three years after its passage; but the number of meetings so called in any year shall not exceed three; and for the purpose only of being submitted to the voters of said town as aforesaid this act shall take effect upon its passage.

Approved April 6, 1931.

An Act repealing certain provisions of law relative to the holding of religious meetings and political meetings or rallies in public ways and places. *Chap.* 173

Be it enacted, etc., as follows:

Section fifty A of chapter one hundred and forty of the General Laws, inserted by chapter one hundred and eighty-seven of the acts of nineteen hundred and twenty-nine, is hereby repealed. *Approved April 6, 1931.*

G. L. 140, § 50A, repealed.

An Act relative to the time during which certain sports and games may be conducted on the Lord's day. *Chap.* 174

Be it enacted, etc., as follows:

Section twenty-one of chapter one hundred and thirty-six of the General Laws, as appearing in section two of chapter four hundred and six of the acts of nineteen hundred and twenty-eight, is hereby further amended by striking out, in the sixth line, the words "two and six" and inserting in place thereof the words: — one thirty and six thirty, — so as to read as follows: — *Section 21.* In any city which accepts sections twenty-one to twenty-five, inclusive, by vote of its city council and in any town which accepts said sections by vote of its inhabitants, it shall be lawful to take part in or witness any athletic outdoor sport or game on the Lord's day between the hours of one thirty and six thirty in the afternoon as hereinafter provided. *Approved April 6, 1931.*

G. L. 136, § 21, etc., amended.

Certain sports and games permitted on Lord's day.

An Act relative to the use of official grade designations in connection with the sale of certain farm products. *Chap.* 175

Be it enacted, etc., as follows:

Chapter ninety-four of the General Laws is hereby amended by striking out section one hundred and seventeen C, inserted by chapter two hundred and seventy of the acts of nineteen hundred and twenty-seven, and inserting in place thereof the following: — *Section 117C.* After notice of the establishment of grades and standards and the determination of brands or labels as provided in the two preceding sections, it shall be unlawful to use an official grade designation in connection with the sale of such farm products without using the brand or label determined as aforesaid for such grade and standard, or to use such a brand or label unless the farm product bearing the brand or label is in fact of the grade or standard so established, or to use such a brand or label before the authorization of the use of, or after the revocation or during suspension of the right to use, such brand or label, by the commissioner. Any violation of this section shall be punished for a first offence by a fine of not more than fifty dollars and for a

G. L. 94, § 117C, amended.

Unlawful use of brands or labels in connection with sale of certain farm products.

Penalty for violation.

Penalty for obstruction.

subsequent offence by a fine of not more than two hundred dollars. Whoever obstructs or hinders the commissioner or any of his assistants in the performance of his duties under sections one hundred and seventeen A to one hundred and seventeen F, inclusive, shall be punished by a fine of not less than ten nor more than one hundred dollars.

Approved April 6, 1931.

Chap. 176 AN ACT TO PERMIT CIVIC AND FRATERNAL ORGANIZATIONS TO PARADE WITH MUSIC ON THE LORD'S DAY.

Be it enacted, etc., as follows:

G. L. 136, § 10, etc., amended.

Section ten of chapter one hundred and thirty-six of the General Laws, as amended by chapter one hundred and nineteen of the acts of nineteen hundred and twenty-two and by chapter ninety of the acts of nineteen hundred and thirty, is hereby further amended by inserting after the word "engaged" in the third line the words: — , or any incorporated civic or fraternal organization, — so as to read as follows: — *Section 10.* Any post or camp of an incorporated organization of veterans of any war in which the United States has engaged, or any incorporated civic or fraternal organization, may parade with music on the Lord's day for the purpose of attending divine service, holding commemorative exercises or dedicating memorials; provided, that the music shall be suspended while passing within two hundred feet of any place of public worship where services are being held.

War veterans' organizations and civic and fraternal organizations may parade with music on the Lord's day.

Proviso.

Approved April 6, 1931.

Chap. 177 AN ACT AUTHORIZING THE CITY OF QUINCY TO BORROW MONEY FOR GRADE CROSSING ABOLITION PURPOSES.

Be it enacted, etc., as follows:

City of Quincy may borrow money for grade crossing abolition purposes.

SECTION 1. For the purpose of meeting its portion of the cost of the work of abolishing the Water street grade crossing in the city of Quincy under the provisions of chapter one hundred and fifty-nine of the General Laws, said city may borrow, outside its limit of indebtedness as fixed by law, such sums as may be necessary, not exceeding, in the aggregate, one hundred and forty thousand dollars, and may issue bonds or notes therefor which shall bear on their face the words, Quincy-Water Street Grade Crossing Loan, Act of 1931. Each authorized issue shall constitute a separate loan and such loans shall be paid in not more than five years from their dates. Such indebtedness shall, except as herein provided, be subject to chapter forty-four of the General Laws, exclusive of the limitation contained in the first paragraph of section seven thereof, as revised by chapter three hundred and twenty-four of the acts of nineteen hundred and twenty-eight.

Quincy-Water Street Grade Crossing Loan, Act of 1931.

SECTION 2. This act shall take effect upon its passage.

Approved April 7, 1931.

An Act authorizing the town of Medfield to borrow money for water supply purposes. *Chap.* 178

Be it enacted, etc., as follows:

Section 1. For the purpose of enlarging and improving its water supply, the town of Medfield may borrow, from time to time within five years from the passage of this act, such sums as may be necessary, not exceeding, in the aggregate, two hundred thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Medfield Water Loan, Act of 1931. Each authorized issue shall constitute a separate loan, and such loans shall be paid in not more than twenty years from their dates. Indebtedness incurred hereunder shall be outside the statutory limit of indebtedness, but shall, except as herein provided, be subject to the provisions of chapter forty-four of the General Laws.

Town of Medfield may borrow money for water supply purposes.

Medfield Water Loan, Act of 1931.

Section 2. This act shall take effect upon its passage.

Approved April 7, 1931.

An Act relative to the improvement of the Charles river basin for recreational and other purposes. *Chap.* 179

Whereas, The deferred operation of this act would tend to defeat its purpose, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Emergency preamble.

Be it enacted, etc., as follows:

Section 1. Chapter three hundred and seventy-one of the acts of nineteen hundred and twenty-nine is hereby amended by striking out section two and inserting in place thereof the following: — *Section 2.* Subject to the condition imposed in the second paragraph of section nine, the commission may (*a*) widen the Charlesbank park and playground between the dam and Longfellow bridge by extending the present river boundary westerly by fill to include an additional area which shall have a width not exceeding at any point three hundred feet beyond the present river boundary of said park and playground, so laying out and establishing the new river boundary as not to interfere with the use of said dam or its locks or other appurtenances; (*b*) widen the Boston embankment between the Longfellow bridge and Otter street including the area under the Longfellow bridge by adding thereto, by fill, an area not more than the equivalent of a strip of land two hundred and twenty-five feet wide, laid out in such manner as to connect by a suitably curved shore line with the Charlesbank park and playground as widened under authority of clause (*a*) of this section, and with the Boston embankment between Otter street and Charlesgate West as widened under au-

1929, 371, § 2, amended.

Metropolitan district commission may widen the Charlesbank park between the dam and Longfellow bridge, etc.

May widen the Boston embankment between the Longfellow bridge and Otter street, etc.

May widen the Boston embankment between Otter street and Charlesgate West.

May extend shore line, by fill, into basin, within certain prescribed limits.

thority of clause (*c*) of this section; (*c*) widen the Boston embankment between Otter street and Charlesgate West by adding thereto, by fill, an area not more than the equivalent of a strip of land three hundred feet wide; (*d*) extend the shore line, by fill, into the basin along Back street and Bay State road between Charlesgate West and Granby street by adding thereto an area not more than the equivalent of a strip of land two hundred feet wide, and from Granby street to Cottage Farm bridge by adding thereto an area not more than the equivalent of a strip of land one hundred and fifty feet wide. In making such widenings and fills the commission may vary the distance of the new shore line from the present walls or shore lines, within the limits herein prescribed, may omit all widening or fill and the sloping bank between Charlesgate East and West and at and near points of discharge into the basin of overflows from sewers and from the Boston marginal conduit, and may give such priority and preference in making the widenings and fills authorized in clauses (*b*), (*c*) and (*d*), or any portions or sections of them, as it shall deem will best promote the usefulness and safety of the Charles river basin for rowing, sailing and other forms of aquatic sports and recreation, and the usefulness of the esplanade and any extension thereof toward the Cottage Farm bridge as a promenade and park, and may expend for the purposes of this section and section seven, from the amount of two million two hundred and eighty thousand dollars specified in the first paragraph of said section nine, as herein amended, an aggregate amount of one million four hundred thousand dollars, which shall include the gift of one million dollars mentioned in the second paragraph of said section nine, paid to the commonwealth in July, nineteen hundred and twenty-nine, and may also expend for such purposes any interest received or accrued on said one million dollars, or any part thereof, up to the date of the full expenditure thereof.

May give priority and preference in making widenings and fills as will best promote the usefulness of Charles river basin for aquatic sports, etc.

Expenditure.

State department of public works may acquire on behalf of commonwealth certain lands owned by Boston and Maine Railroad, etc.

The state department of public works is hereby authorized to acquire on behalf of the commonwealth from the Boston and Maine Railroad, by an agreement with the said railroad satisfactory to said department, the lands owned by said railroad fronting on the Charles river and the Nashua street extension and lying between Leverett street and the new electric substation used by said railroad, and also the land of the said railroad located in the block bounded by Leverett, Brighton and Lowell streets and the said Nashua street extension, in exchange for lands or flats under or above tidewater owned by the commonwealth in the city of Boston or in the city of Cambridge, or both, and to make the necessary conveyances. When the said department has acquired hereunder the said lands owned by the said railroad, said department may on said behalf, sell and convey the same to the city of Boston for playground, bathing or similar purposes, at a price to be mutually agreed upon by said city and the said department. The terms and conditions of any exchange or

Conveyance to city of Boston, etc.

Agreement as to price, etc.

sale of land authorized by this section shall be subject to the approval of the governor and council.

1929, 371, § 8, amended.

Section 2. Chapter three hundred and seventy-one of the acts of nineteen hundred and twenty-nine is hereby further amended by striking out section eight and inserting in place thereof the following: —*Section 8.* The commission is hereby further authorized to lay out and construct the following described parkways and boulevards or any of them, or portions thereof:

Commission may lay out and construct certain parkways and boulevards.

(*a*) A section of parkway or boulevard from a point at or near the intersection of Arsenal street and Market street in the Brighton district of the city of Boston, thence over public or private lands and public or private ways to a point on North Beacon street in said Brighton district west of the crossing thereof by the Boston and Albany Railroad with the right to make any necessary fill in the Charles river.

(*b*) An underpass in Memorial drive in the city of Cambridge carrying that parkway under Massachusetts avenue.

(*c*) A section of parkway or boulevard beginning at a point in Nonantum road in the city of Newton at or near Hyde brook, thence over public or private lands and public or private ways in said city of Newton and in the town of Watertown to a point on Galen street in said town at or near its intersection with California street. Authority to make the necessary fill in the Charles river is hereby granted; but said parkway or boulevard shall, so far as feasible, be constructed on existing land and no substantial fill shall be made in the Charles river which would result in materially reducing its width below its present average width along said parkway or boulevard.

1929, 371, § 9, amended.

Section 3. Chapter three hundred and seventy-one of the acts of nineteen hundred and twenty-nine is hereby further amended by striking out section nine and inserting in place thereof the following: — *Section 9.* For the purpose of carrying out the work authorized by this act, the commission may expend such sums as may be necessary, not exceeding, in the aggregate, two million two hundred and eighty thousand dollars, and in addition, any interest received or accrued on the gift of one million dollars hereinafter mentioned, or any part thereof, up to the date of the full expenditure thereof.

Limitation of expenditure.

One million dollars of said sum shall be met from a gift of one million dollars to be made to the commonwealth of Massachusetts for the purpose of beautifying and improving the Charles river basin. The commission is hereby authorized to accept said gift in behalf of said commonwealth and to permit the donor thereof to erect a suitable memorial on the shore of the basin at such location and in such form as the commission may approve. Said gift shall be received on behalf of the commonwealth and shall be held and disbursed in the same manner as revenue received for or on account of the metropolitan parks district; but shall be expended only on account of the cost of the improvements authorized by section two, and of the cost of providing additional facilities for

One million dollars to be met from gift to commonwealth, etc.

Donor to be permitted to erect a suitable memorial, etc.

Gift to be expended only for purposes authorized by §§ 2 and 7.

Work not to be commenced until receipt of gift, etc.

aquatic and athletic sports and recreation as authorized by section seven. The authority conferred upon the commission by this act to perform the work authorized in section two is conditional upon the making of said gift and said work shall not be commenced until such gift has been received by the commonwealth.

Amount to be paid by city of Boston, etc.

Four hundred thousand dollars of the cost of the work hereinbefore authorized shall be paid by the city of Boston and shall be used only on account of the cost of the improvements authorized by section two, of which one hundred thousand dollars shall be paid in nineteen hundred and thirty, one hundred and fifty thousand dollars in nineteen hundred and thirty-one, and one hundred and fifty thousand dollars in nineteen hundred and thirty-two.

Amount to be paid by city of Cambridge, etc.

One hundred and ten thousand dollars of the cost of the work hereinbefore authorized shall be paid by the city of Cambridge, of which sixty-seven thousand five hundred dollars shall be paid in nineteen hundred and thirty and forty-two thousand five hundred dollars in nineteen hundred and thirty-one.

Amount to be paid by city of Newton, etc.

Twenty-five thousand dollars of the cost of the work hereinbefore authorized shall be paid by the city of Newton, of which twelve thousand five hundred dollars shall be paid in nineteen hundred and thirty and twelve thousand five hundred dollars in nineteen hundred and thirty-one.

Amount to be paid by town of Watertown, etc.

Twenty-five thousand dollars of the cost of the work hereinbefore authorized shall be paid by the town of Watertown, of which twelve thousand five hundred dollars shall be paid in nineteen hundred and thirty and twelve thousand five hundred dollars in nineteen hundred and thirty-one.

Assessment and collection by state treasurer, etc.

The several amounts to be paid as aforesaid by the cities of Boston, Cambridge and Newton and by the town of Watertown shall be assessed and collected by the state treasurer in addition to the respective quotas of the state tax payable by said cities and by said town in the years when said amounts become due.

Amount to be paid from Highway Fund.

Three hundred and sixty thousand dollars of the cost of the work hereinbefore authorized shall be paid from the Highway Fund, fifty thousand dollars being charged to the said fund of nineteen hundred and twenty-nine, one hundred and fifty-five thousand dollars to the said fund of nineteen hundred and thirty, and the balance to the said fund of nineteen hundred and thirty-one.

Balance to be assessed upon cities and towns of metropolitan parks district, etc.

The balance, amounting to three hundred and sixty thousand dollars, shall be assessed upon the cities and towns of the metropolitan parks district in proportion to their respective taxable valuations, as defined in section fifty-nine of chapter ninety-two of the General Laws, fifty thousand dollars being assessed upon and collected from said cities and towns in nineteen hundred and twenty-nine, one hundred and fifty-five thousand dollars in nineteen hundred and thirty, and the balance in nineteen hundred and thirty-one.

1929, 371, § 15, amended.

SECTION 4. Section fifteen of said chapter three hundred and seventy-one is hereby amended by striking out, in the

fifth line, the word "thirty-five" and inserting in place thereof the word: — ten, — so as to read as follows: — *Section 15.* For the purpose of meeting (*a*) the cost of the work authorized in section fourteen, to an amount, however, not exceeding two hundred and twenty-five thousand dollars, and (*b*) the special assessment of one hundred and ten thousand dollars provided for in section nine, the city of Cambridge may from time to time borrow such sums as may be necessary, and may issue bonds or notes therefor, which shall bear on their face the words, City of Cambridge, Street Widening and Extension Loan, Act of 1929. Each authorized issue shall constitute a separate loan, and such loans shall be paid in not more than fifteen years from their dates. Indebtedness incurred under this section shall be in excess of the statutory limit of indebtedness of said city, but shall, except as herein provided, be subject to the provisions of chapter forty-four of the General Laws, exclusive of the limitation contained in the first paragraph of section seven thereof, as revised by chapter three hundred and twenty-four of the acts of nineteen hundred and twenty-eight.

To meet cost of work authorized in § 14, and special assessment provided for in § 9, city of Cambridge may borrow money, issue bonds, etc.

City of Cambridge, Street Widening and Extension Loan, Act of 1929.

Section 5. This act shall take effect upon its passage.

Approved April 7, 1931.

An Act relative to side yard and set-back requirements under the boston zoning law, so called. *Chap.* 180

Be it enacted, etc., as follows:

Section 1. Section eleven of chapter four hundred and eighty-eight of the acts of nineteen hundred and twenty-four, as amended by sections two and three of chapter two hundred and twenty of the acts of nineteen hundred and twenty-seven and by section four of chapter three hundred and forty-seven of the acts of nineteen hundred and thirty, is hereby further amended by striking out the first sentence of the fourth paragraph, entitled "*Side Yards*", and inserting in place thereof the following: — There shall be a side yard on each side of every building in a single residence district and on each side of every building or pair of semi-detached buildings in a general residence district.

1924, 488, § 11, par. fourth, etc., amended.

Thirty-five foot districts.

Side Yards.

Section 2. Said section eleven, as so amended, is hereby further amended by striking out the sixth paragraph, entitled "*Set-back*", and inserting in place thereof the following: —

1924, 488, § 11, par. sixth, etc., amended.

Set-back: In a single or general residence district no building shall hereafter be erected or altered to be within thirty feet of the center of any street or within ten feet of any street line, provided, that on a lot abutting on two or more streets, one of which is more than twenty-four feet wide and one twenty-four feet wide or less, no set-back is hereby required on the street or streets twenty-four feet wide or less; provided, further, that on a lot between two buildings not more than sixty feet apart the set-backs need not exceed the greater of the set-backs on such buildings; and provided, further,

Set-back.

Provisos.

that on a lot in a separate and distinct single or joint ownership of record at the time it is placed in a thirty-five foot district and less than one hundred feet deep, any set-back hereby established may be reduced one per cent for each foot that the depth of the lot is less than one hundred feet.

1924, 488, § 12, par. sixth, etc., amended.

SECTION 3. Section twelve of said chapter four hundred and eighty-eight, as amended by section four of said chapter two hundred and twenty, is hereby further amended by striking out the sixth paragraph, entitled "*Set-back*", and inserting in place thereof the following: —

Forty foot districts.

Set-back.

Set-back: In a single or general residence district no building shall hereafter be erected or altered to be within twenty-five feet of the center of any street or within ten feet of any street line, provided, that in a lot abutting upon two or more streets, one of which is more than twenty-four feet wide and one twenty-four feet wide or less, no set-back is hereby required on the street or streets twenty-four feet wide or less; provided, further, that on a lot between two buildings not more than sixty feet apart, the set-back need not exceed the greater of the set-backs of such buildings; and provided, further, that on a lot in a separate and distinct single or joint ownership of record at the time it is placed in a forty foot district and less than one hundred feet deep, any set-back hereby established may be reduced one per cent for each foot that the depth of the lot is less than one hundred feet.

1924, 488, § 13, par. fourth, amended.

Sixty-five foot districts.

Set-back.

SECTION 4. The fourth paragraph of section thirteen of said chapter four hundred and eighty-eight, entitled "*Set-back*", is hereby amended by striking out, in the third line, the word "fronting" and inserting in place thereof the word: — abutting.

1924, 488, § 16, etc., amended.

SECTION 5. Section sixteen of said chapter four hundred and eighty-eight, as amended by section nine of chapter two hundred and nineteen of the acts of nineteen hundred and twenty-five, by section five of said chapter two hundred and twenty, by section one of chapter eighty-eight of the acts of nineteen hundred and twenty-nine and by section three of chapter three hundred and forty-seven of the acts of nineteen hundred and thirty, is hereby further amended by adding at the end thereof the following new paragraph: —

Set-back of buildings not fronting on a street.

(14) There shall be in front of every building not fronting on a street a yard not less in depth than the depth required for the rear yard of the same building.

SECTION 6. This act shall take effect upon its passage.

Approved April 7, 1931.

Chap. 181 AN ACT PROVIDING FOR THE ABATEMENT OF CERTAIN MOSQUITO NUISANCES.

Be it enacted, etc., as follows:

G. L. 252, new section after § 5A.

Chapter two hundred and fifty-two of the General Laws is hereby amended by inserting after section five A, inserted by section three of chapter two hundred and eighty-eight of

the acts of nineteen hundred and twenty-nine, the following new section: — *Section 5B.* The board of health of a city or town, not then included in an area designated by an identifying name for the purposes of section five A, or the commissioners appointed to make improvements on behalf of a mosquito control project under such a name as provided in said section, may determine any mosquito breeding area within the limits of such city or town or of such a project, to be a public nuisance, and the board of health or the commissioners, as the case may be, may abate such nuisance, in such manner as may be approved by the board, and may maintain such works as may be necessary to prevent its recurrence. Before proceeding with such abatement, the board of health or the said commissioners shall notify the owners of such breeding area of the intended abatement, by publication in a newspaper published in the town wherein such area is situated, and shall appoint in the notice a time and place for hearing, and shall at such time and place hear all interested parties. In case an owner of any such area whereon it is proposed to undertake such an abatement objects thereto, he may appeal, not later than fourteen days after the date of said hearing, to the county commissioners, who shall, not later than fourteen days after receipt of notice of such appeal, hear the party or parties aggrieved, the board of health or the said commissioners, and the board or its agent. If the county commissioners shall, within two weeks thereafter, determine that the proposed abatement is required for the promotion of the public health, safety or convenience, the abatement may proceed, but not otherwise. A person damaged in his property by any work undertaken under this section may recover his damages in the manner provided in chapter seventy-nine from the city or town whose board of health undertakes such work, or from the county or counties wherein any city or town included in the mosquito control project is situated, in case such work is undertaken by the commissioners under section five A; provided, that the petition to recover said damages shall be filed within thirty days after the right to the same has vested. All damages paid as aforesaid by the county commissioners shall be assessed upon the cities and towns included in the project on the basis of their taxable valuations as an addition to their respective quotas of the county tax.

Determination of mosquito breeding areas as public nuisances by local boards of health, etc.

Notification to owners of intended abatement.

Hearing.

Appeal.

When abatement may proceed.

Property damages, recovery.

Proviso.

Assessment.

Approved April 7, 1931.

An Act relative to the powers and duties of local collectors of taxes in relation to the collection of sums assessed on lands in reclamation districts. *Chap.* 182

Be it enacted, etc., as follows:

Chapter two hundred and fifty-two of the General Laws is hereby amended by striking out section eleven as appearing in section one of chapter four hundred and fifty-seven of the acts of nineteen hundred and twenty-three, and as

G. L. 252, § 11, etc., amended.

Assessment upon proprietors of lands in reclamation districts.

amended by section nine of chapter three hundred and ninety-three of the acts of nineteen hundred and twenty-six, and inserting in place thereof the following: — *Section 11.* The clerk of the district shall certify to the assessors of the town or towns in which the land of the district lies all sums of money voted to be raised and all sums payable annually on account of the principal and interest due on bonds or notes issued under the provisions of section nine or ten, together with the amount to be paid by each proprietor according to the determination made under section seven, and said clerk shall also file an attested copy of such certification with the board. The amounts so certified shall be assessed upon the lands of the several proprietors within the area, and be committed to the collector of taxes of the town wherein the land assessed is situated, who shall have and exercise the same powers and duties in relation to the collection of such assessments as he has and exercises relative to the collection of town taxes. The collector shall remit weekly to the district treasurer all sums collected by him on account of such assessments. An assessment made hereunder shall be a lien upon the land assessed therefor, and such lien shall take effect upon the recording of the description, plan and estimate under section seven, and shall continue for a period of two years from July first of the year of assessment.

Powers and duties of local collectors of taxes as to collection of assessments.

Assessment to be lien, etc.

Approved April 7, 1931.

Chap. 183 AN ACT GRANTING THE CONSENT OF THE COMMONWEALTH OF MASSACHUSETTS TO THE ACQUISITION OF MIGRATORY GAME REFUGES BY THE FEDERAL GOVERNMENT.

Be it enacted, etc., as follows:

G. L. 131, new section after § 120.

Chapter one hundred and thirty-one of the General Laws, as appearing in section two of chapter three hundred and ninety-three of the acts of nineteen hundred and thirty, is hereby amended by inserting after section one hundred and twenty the following new section: — *Section 120A.* Consent of the commonwealth of Massachusetts is hereby given to the acquisition by the United States, by purchase, gift, devise or lease, of such areas of land or water, or of land and water, in Massachusetts, as the United States may deem necessary for the establishment of migratory bird reservations in accordance with the act of congress approved February eighteenth, nineteen hundred and twenty-nine, known as the migratory bird conservation act, reserving, however, to the commonwealth of Massachusetts full and complete jurisdiction and authority over all such areas not incompatible with the administration, maintenance, protection and control thereof by the United States under the terms of said act of congress.

Consent of the commonwealth of Massachusetts granted to the acquisition of migratory game refuges by the federal government.

Approved April 7, 1931.

An Act to prevent double taxation of registered motor vehicles. *Chap.* 184

Whereas, The deferred operation of this act would, in part, defeat its purpose, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience. Emergency preamble.

Be it enacted, etc., as follows:

Section 1. Clause Thirty-fifth of section five of chapter fifty-nine of the General Laws, inserted by section four of chapter three hundred and seventy-nine of the acts of nineteen hundred and twenty-eight, is hereby amended by adding at the end thereof the following: —, irrespective of the date of registration thereof under chapter ninety, — so as to read as follows: — Thirty-fifth, Motor vehicles subject to taxation under the provisions of chapter sixty A, irrespective of the date of registration thereof under chapter ninety. G. L. 59, § 5, cl. Thirty-fifth, amended. Motor vehicles taxable under G. L. 60A, exempt from taxation.

Section 2. This act shall take effect as of March thirty-first of the current year. *Approved April 8, 1931.* Effective date.

An Act relative to party enrolment of voters. *Chap.* 185

Be it enacted, etc., as follows:

Section 1. Section thirty-seven of chapter fifty-three of the General Laws, as amended by section one of chapter eighty-nine of the acts of nineteen hundred and twenty-eight, is hereby further amended by inserting after the word "clerk" in the ninth line the words: — to be retained in his custody as long as he retains the ballots cast whereupon such voting list shall be transmitted to the registrars of voters, — so as to read as follows: — *Section 37.* When, in a primary, a voter seeks to pass the guard rail, he shall be asked by one of the ballot clerks with which political party he desires to be enrolled, and the ballot clerk upon reply shall distinctly announce the name of such political party and give him such political party ballot. The voter's selection shall be checked on the voting list used by the ballot clerk, and such list shall be returned to the city or town clerk to be retained in his custody as long as he retains the ballots cast whereupon such voting list shall be transmitted to the registrars of voters for preservation for five years after the expiration of which it may be destroyed. Said officers shall, upon receiving a written request therefor, signed by the chairman of any ward, town or city committee, or by at least ten voters in the ward, town or precinct for which the list is desired, furnish a certified copy of said list to any ward, town or city committee. The party enrolment of voters on such voting lists, and all subsequent party enrolment of voters, shall be transferred each year to the voting lists used at subsequent primaries, if the names of such voters have been entered in the annual register prepared by the registrars. G. L. 53, § 37, etc., amended. Party enrolment of voters at primaries. Preservation of voting lists by registrars of voters. Certified copies of voting lists may be furnished. Use of party enrolment at subsequent primaries.

Section 2. Section thirty-eight of said chapter fifty-three, as amended by chapter one hundred and ten of the G. L. 53, § 38, etc., amended.

acts of nineteen hundred and twenty-seven, is hereby further amended by striking out, in the first line, the words "at a primary" and inserting in place thereof the words: — under this or the preceding section, — by striking out, in the third line, the word "he", where it occurs therein the second time, and inserting in place thereof the words: — a voter, — by striking out, in the fifth line, the words "the city or town clerk" and inserting in place thereof the words: — a member of the board of registrars of voters, — by inserting after the word "enrolment" in the sixth line, the words: — established with a party, — and by inserting after the word "such" in the seventh line, the word: — enrolment, — so as to read as follows: — *Section 38.* No voter enrolled under this or the preceding section shall be allowed to receive the ballot of any political party except that with which he is so enrolled; but a voter may establish, change or cancel his enrolment by appearing in person before a member of the board of registrars of voters and requesting in writing to have his enrolment established with a party, changed to another party, or cancelled, and such enrolment, change or cancellation shall take effect at the expiration of thirty days thereafter. No voter enrolled as a member of one political party shall be allowed to receive the ballot of any other political party, upon a claim by him of erroneous enrolment, except upon a certificate of such error from the registrars, which shall be presented to the presiding officer of the primary and preserved as part of the records of such primary; but the political party enrolment of a voter shall not preclude him from receiving at a city or town primary the ballot of any municipal party, though in no one primary shall he receive more than one party ballot. *Approved April 8, 1931.*

Voters enrolled in one political party not to receive ballot of another political party, except, etc.

Personal appearance to establish, change or cancel party enrolment.

Chap. 186 AN ACT RELATIVE TO THE TAKING OF CLAMS AND OTHER SHELLFISH AT REVERE BEACH IN THE CITY OF REVERE.

Be it enacted, etc., as follows:

Permit not required for the taking of clams, etc., at Revere beach in city of Revere during certain months.

No permit or other authorization from the metropolitan district commission shall be required for taking clams or other shellfish during the months of November, December, January, February and March from any part of the flats lying between Point of Pines and Eliot circle in the city of Revere which is not then declared by the department of public health to be a contaminated area.

Approved April 8, 1931.

Chap. 187 AN ACT TO CLARIFY PREVIOUS ACTS AS TO THE PURCHASE BY THE COMMONWEALTH OF COPIES OF THE HOUSE JOURNALS FROM 1715–1780 AND THEIR DISTRIBUTION BY THE SECRETARY OF THE COMMONWEALTH.

Be it enacted, etc., as follows:

1920, 413, § 1, etc., amended.

Section one of chapter four hundred and thirteen of the acts of nineteen hundred and twenty, as amended by chapter

one hundred and sixty-four of the acts of nineteen hundred and twenty-two, is hereby further amended by striking out the words "covering three years, more or less" in the fourth line thereof and substituting therefor the words: — each covering one year or more, — so as to read as follows: —

Section 1. Whenever the journals of the house of representatives of Massachusetts Bay from seventeen hundred and fifteen to seventeen hundred and eighty, inclusive, in volumes each covering one year or more, shall be reprinted accurately by the Massachusetts Historical Society, in the manner and form of volume one, seventeen hundred and fifteen to seventeen hundred and seventeen, inclusive, now in the press, and approved by the secretary of the commonwealth, the secretary shall purchase from the society three hundred copies of the said journals at a price not exceeding two dollars and fifty cents a volume, but in no year shall there be expended more than seven hundred and fifty dollars; provided that if the copies are plated, the plates shall be subject to use by the commonwealth.

Purchase of journals of house of representatives of Massachusetts Bay from 1715 to 1780.

Proviso.

Approved April 9, 1931.

An Act relative to the execution of certain certificates and returns of gas and electric and certain other companies. *Chap.* 188

Be it enacted, etc., as follows:

Section 1. Section thirty-seven of chapter one hundred and fifty-eight of the General Laws, as amended by chapter twenty-six of the acts of nineteen hundred and twenty-six, is hereby further amended by striking out, in the seventh line, the word ", treasurer" and inserting in place thereof the following: — or vice president, and treasurer or assistant treasurer, — so as to read as follows: — *Section 37.* Every corporation shall annually file in the office of the state secretary, within thirty days after the date fixed in its by-laws for its annual meeting, or within thirty days after the final adjournment thereof, but not more than three months after the date so fixed for said meeting, a certificate signed and sworn to by its president or vice president, and treasurer or assistant treasurer, and at least a majority of its directors, stating the date of holding such meeting, the amount of capital stock as it then stands fixed by the corporation, the amount then paid in, and the assets and liabilities of the corporation, in such form, with such detail and of such date as the commissioner shall require or approve. Such certificates shall, by the act of filing, be considered as recorded and shall be preserved by the state secretary in book form convenient for reference. Such certificate of a corporation having a capital stock of one hundred thousand dollars or more shall be verified by an auditor as provided in section forty-nine of chapter one hundred and fifty-six.

G. L. 158, § 37, etc., amended.

Annual certificates of condition of certain corporations, filing, etc.

Contents.

Filing to be considered as recording, etc.

Verification by auditor, when.

Section 2. Section thirty-nine of said chapter one hundred and fifty-eight, as amended by chapter ninety-seven

G. L. 158, § 39, etc., amended.

of the acts of nineteen hundred and twenty-nine, is hereby further amended by striking out, in the fourth line, the word ", treasurer" and inserting in place thereof the words: — or vice president, and treasurer or assistant treasurer, — so as to read as follows: — *Section 39.* A corporation shall, upon an increase of its capital stock, within thirty days after the payment or collection of the last instalment thereof, file a certificate of the amount of such increase and the fact of such payment, signed and sworn to by its president or vice president, and treasurer or assistant treasurer, and a majority of its directors, in the office of the state secretary and also, if the corporation is subject to chapter one hundred and sixty-four or one hundred and sixty-five, in the office of the department of public utilities. If such a certificate is not filed as aforesaid within said period of thirty days, it may thereafter be received by the commissioner for examination in accordance with section forty-one upon payment to him of such sum, not exceeding twenty-five dollars, as he may determine, and be filed as hereinbefore provided, subject to the provisions of sections forty-one and forty-three to the same extent as if such certificate had been filed as aforesaid within said period.

Certificate of increase of capital stock.

G. L. 164, § 83, amended.

SECTION 3. Section eighty-three of chapter one hundred and sixty-four of the General Laws is hereby amended by striking out, in the sixth and seventh lines, the words "and treasurer" and inserting in place thereof the words: — or vice president, and treasurer or assistant treasurer, — so as to read as follows: — *Section 83.* Gas and electric companies and manufacturing companies and persons engaged in the manufacture and sale or distribution and sale of gas or electricity shall annually, on or before such date as the department fixes, make to the department, in a form prescribed by it, a return for the year ending on such date as the department may from time to time require, signed and sworn to by the president or vice president, and treasurer or assistant treasurer, and a majority of the directors, of the amount of their authorized capital, their indebtedness and financial condition, on the said date, their income and expenses during the preceding year, their dividends paid and declared, a list of the names of all their salaried officers and the amount of the salary paid to each, and the balance sheet of their accounts as of said date. Such companies and persons shall at all times, upon request, furnish any information required by the department or its duly authorized employees relative to their condition, management and operation, and shall comply with all lawful orders of the department; but manufacturing companies in which the manufacture and sale of gas or electricity is a minor portion of their business shall be required to include in their annual returns the income and expenses and other data relative to their gas and electric business only.

Form of annual returns of gas and electric companies prescribed.

Approved April 9, 1931.

An Act making appropriations to repair damages to shore walls, roadways and other property of certain metropolitan parks reservations. *Chap.* 189

Be it enacted, etc., as follows:

Appropriations to repair damages to shore walls, roadways and other property of certain metropolitan parks reservations and certain metropolitan parks boulevards.

Section 1. For expenses of repairing damage occasioned by the severe storm and high tides of March fourth and fifth of the current year to shore walls, roadways and other property of the metropolitan parks reservations in the cities of Revere and Lynn and the towns of Nahant and Winthrop, there is hereby appropriated a sum not exceeding one hundred eighty-five thousand dollars, to be assessed upon cities and towns of the metropolitan parks district in accordance with the methods fixed by law, and to be expended under the direction and with the approval of the metropolitan district commission.

For expenses of repairing damage occasioned as aforesaid to certain metropolitan parks boulevards, there is hereby appropriated from the Highway Fund a sum not exceeding fifteen thousand dollars, to be expended under the direction and with the approval of the metropolitan district commission.

Section 2. This act shall take effect upon its passage.

Approved April 11, 1931.

An Act authorizing the town of Wellesley to borrow money for the erection of a municipal office building. *Chap.* 190

Be it enacted, etc., as follows:

Town of Wellesley may borrow money for the erection of a municipal office building.

Section 1. For the purpose of constructing a municipal office building and of originally equipping and furnishing the same, the town of Wellesley may borrow from time to time, within a period of five years from the passage of this act, such sums as may be necessary, not exceeding, in the aggregate, two hundred and seventy-five thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Wellesley Municipal Building Loan, Act of 1931. Each authorized issue shall constitute a separate loan, and such loans shall be paid in not more than fifteen years from their dates, but no issue shall be authorized under this act unless a sum equal to an amount not less than ten per cent of such authorized issue is voted for the same purpose to be raised by the tax levy of the year when authorized. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall, except as provided herein, be subject to chapter forty-four of the General Laws, exclusive of the limitation contained in the first paragraph of section seven thereof, as revised by chapter three hundred and twenty-four of the acts of nineteen hundred and twenty-eight.

Wellesley Municipal Building Loan, Act of 1931.

Section 2. This act shall take effect upon its passage.

Approved April 14, 1931.

Chap. 191 AN ACT AUTHORIZING THE TOWN OF OAK BLUFFS TO BORROW MONEY FOR SCHOOL PURPOSES.

Be it enacted, etc., as follows:

Town of Oak Bluffs may borrow money for school purposes.

SECTION 1. For the purpose of acquiring land for and constructing a new junior-senior high school building, together with an auditorium and gymnasium, and originally equipping and furnishing the same, the town of Oak Bluffs may borrow from time to time, within a period of five years from the passage of this act, such sums as may be necessary, not exceeding, in the aggregate, one hundred and sixty thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Oak Bluffs Junior-Senior High School Loan, Act of 1931. Each authorized issue shall constitute a separate loan, and such loans shall be paid in not more than fifteen years from their dates, but no issue shall be authorized under this act unless a sum equal to an amount not less than ten per cent of such authorized issue is voted for the same purpose to be raised by the tax levy of the year when authorized. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall, except as provided herein, be subject to chapter forty-four of the General Laws, exclusive of the limitation contained in the first paragraph of section seven thereof, as revised by chapter three hundred and twenty-four of the acts of nineteen hundred and twenty-eight.

Oak Bluffs Junior-Senior High School Loan, Act of 1931.

SECTION 2. This act shall take effect upon its passage.

Approved April 14, 1931.

Chap. 192 AN ACT ESTABLISHING THE CHELSEA TRAFFIC COMMISSION AND DEFINING ITS POWERS AND DUTIES.

Be it enacted, etc., as follows:

Chelsea traffic commission established.

SECTION 1. There is hereby established in the city of Chelsea, hereinafter referred to as the city, a commission to consist of the chief of the police department, the city engineer, the city electrician, and two other persons to be appointed by the mayor, subject to the approval of the board of aldermen, for terms of three years each, hereinafter referred to as the commission.

Chairman to be known as traffic commissioner.

SECTION 2. The commission shall elect its own chairman, who shall be known as the traffic commissioner. The members of the commission shall receive no compensation for their services as commissioners, but all expenses incurred for the purposes of this act shall be paid by the city. All statutes and ordinances applicable generally to the departments of the city shall apply to the commission.

No compensation.

Certain statutes, etc., applicable.

Powers and duties.

SECTION 3. The commission shall have exclusive authority, except as otherwise herein provided, to adopt, amend, alter and repeal rules and regulations, not inconsistent with general law as modified by this act, relative to

vehicular street traffic in the city, and to the movement, stopping or standing of vehicles on, and their exclusion from, all or any streets, ways, highways, roads and parkways, under the control of the city, including rules and regulations designating any way or part thereof under said control as a through way under and subject to the provisions of section nine of chapter eighty-nine of the General Laws, as amended, and may prescribe penalties not exceeding fifty dollars for the violation of any rule or regulation adopted hereunder. No such rule or regulation, except such special rules and regulations as are declared by vote of the commission to be urgently required by considerations of public safety or convenience or such as are of a temporary nature and are to be effective for a period of not more than two weeks, shall take effect until published for two successive weeks in one or more newspapers published in the city. Upon petition of twenty-five registered voters of the city relative to any rule or regulation adopted or proposed to be adopted under this section, the commission shall hold a public hearing thereon within ten days after the filing with the commission of such petition, and final action thereon shall be determined only by vote of a majority of the entire membership of the commission. The commission shall have power to erect, make and maintain, or cause to be erected, made and maintained, traffic signs, signals, markings and other devices for the control of such traffic in the city and for informing and warning the public as to rules and regulations adopted hereunder, subject, however, to section two of chapter eighty-five, and to sections eight and nine of said chapter eighty-nine, of the General Laws, as amended. Nothing in this act shall be construed to authorize the commission to adopt any rule or regulation excluding the cars of a street railway company from any way or part thereof in which it has a location, or to modify or limit any power or authority of the metropolitan district commission, of the state department of public works or of the state department of public utilities, or any power now vested in the mayor, board of aldermen or heads of departments with reference to the issuance of licenses or permits for the opening, using or occupying of streets and sidewalks.

Rules and regulations.

Not effective until published, except, etc.

Public hearing upon petition, etc.

Traffic signs, signals, etc.

Act, how construed.

Section 4. All existing ordinances, relating to the control of vehicular traffic, shall remain in full force and effect until superseded by rules and regulations adopted by the commission under this act, and the adoption thereof by the commission shall not affect any act done, any right accrued, any penalty incurred, or any suit, prosecution or proceeding pending, at the time of said adoption.

Certain ordinances to remain in force until, etc.

Section 5. This act shall take effect upon its acceptance, during the current year, by vote of the board of aldermen of the city, subject to the provisions of its charter, but not otherwise; provided, that for the purposes of such acceptance only, this act shall take effect upon its passage.

Submission to Chelsea board of aldermen.

Proviso.

Approved April 14, 1931.

Chap. 193 AN ACT FURTHER PROVIDING FOR THE DEFERRED RENEWAL OF PLUMBERS' LICENSES.

Be it enacted, etc., as follows:

G. L. 142, § 6, etc., amended.

Section six of chapter one hundred and forty-two of the General Laws, as most recently amended by section one of chapter three hundred and ninety-seven of the acts of nineteen hundred and thirty, is hereby further amended by striking out the sentence added by said section one and inserting in place thereof the following sentence: — In case of failure to renew a license as aforesaid on or before May first in any year, the person named therein may, upon payment of the said fee and a deferred renewal fee of ten dollars, increased by such additional fees as would have been payable had such license been continuously renewed, receive a deferred renewal thereof which shall expire on the ensuing first day of May; provided, that such renewed license shall not constitute its holder a licensee for any period preceding its issue.

Deferred renewal of plumbers' licenses.

Proviso.

Approved April 14, 1931.

Chap. 194 AN ACT RELATIVE TO THE PACKING, GRADING, INSPECTION, SALE AND DISTRIBUTION OF APPLES.

Be it enacted, etc., as follows:

G. L. 94, §§ 101 to 105, inc., 107 and 109 to 114, inc., etc., amended.

Chapter ninety-four of the General Laws is hereby amended by striking out sections one hundred and one to one hundred and five, inclusive, one hundred and seven and one hundred and nine to one hundred and fourteen, inclusive, as amended, and inserting in place thereof the following nine sections: —

Commissioner of agriculture to establish and promulgate official grades of apples, etc.

Section 101. The commissioner of agriculture shall establish and promulgate official grades of apples packed or repacked within the commonwealth, and may from time to time amend or modify such grades. Before establishing, amending or modifying any such grades, the commissioner shall consult with growers and shippers of apples relative to proposed grades, or, upon written petition of fifty or more growers producing annually an aggregate of not less than one hundred thousand bushels of apples, the commissioner shall, after reasonable notice, specifying the date, place and purpose of the proposed hearing, hold a public hearing for the purpose of obtaining information with a view to establishing, or amending or modifying, as the case may be, such official grades. The grades so established and promulgated shall include grades identical in name and requirements with all grades or standards of apples as promulgated, from time to time, by the secretary of agriculture of the United States and commonly known as the United States grades.

To be identical in name and requirements with United States grades.

Certain information to be marked or branded on closed packages of apples

Section 102. Each closed package of apples packed or repacked within the commonwealth and intended for sale within or without the commonwealth, shall be marked or branded at the time of packing, repacking or closing with

a statement of the name and legal address of the person by whose authority the apples were packed, the true name of the variety, and the minimum size or numerical count of the apples contained therein. If the true name of the variety is not known to the packer or other person by whose authority the apples are packed, the statement shall include the words "variety unknown". Each closed package of apples packed or repacked within the commonwealth and intended for sale in foreign countries shall also be marked or branded with a statement of such official grade designation applicable thereto as may be established and promulgated under section one hundred and one.

packed or repacked within state and intended for sale within or without state.

For sale in foreign countries.

Section 103. Each closed package of apples packed or repacked within the commonwealth and intended for sale within the United States may be marked or branded with a statement of an official grade designation established and promulgated under section one hundred and one. Closed packages of apples not marked or branded with an official grade designation at the time of packing, repacking or closing, may be so marked or branded at any subsequent time if there is submitted by the owner of said packages to the commissioner of agriculture at least three days prior to the sale of such packages a notice in writing stating the location and approximate number of such packages and the official grade designation marked or branded thereupon.

Certain information may be marked or branded on closed packages of apples packed or repacked within state and intended for sale within United States, etc.

Section 104. No open package of apples shall be marked or branded or have affixed thereto any brand, label, mark or stencil which purports to state or describe the grade or quality of the apples contained therein, except that any such package may be marked or branded with an official grade designation if all provisions of section one hundred and two are complied with.

Open packages of apples not to be marked or branded, except, etc.

Section 105. For the purposes of sections one hundred to one hundred and nine, inclusive, apples packed in closed or open packages shall be deemed to be misbranded:

When apples packed in closed or open packages shall be deemed to be misbranded.

First. If any closed package is packed or repacked in the commonwealth and fails to bear all statements required by section one hundred and two, or if any open package is marked or branded and fails to bear all statements required under section one hundred and four.

Second. If any package, whether packed or repacked within or without the commonwealth, is falsely branded or bears any statement, design or device regarding the apples contained therein which is false or misleading, or if any package bears any statement, design or device indicating that the apples contained therein are of a specified grade established and promulgated under section one hundred and one, and said apples, when packed or repacked, do not conform to the requirements prescribed for such grade, or if any package bears any statement, design or device, other than an official grade designation, describing the grade or quality of the apples therein.

Section 106. The commissioner of agriculture shall make

Rules and regulations.

and may modify rules and regulations for enforcing sections one hundred to one hundred and nine, inclusive, and shall, either in person or by his assistant, have free access at all reasonable hours to each building or other place where apples are packed, stored, sold, or offered or exposed for sale. He may also, in person or by his assistant, open each box, barrel or other container, and upon tendering the market price, may take as a sample such container, with or without its contents, or any apples therefrom.

Enforcement of §§ 100 to 105, inclusive, and § 108, and prosecutions of violations thereof.

Hearings, notice, etc.

Section 107. The commissioner of agriculture and his duly authorized assistants shall have authority to enforce sections one hundred to one hundred and five, inclusive, and one hundred and eight, and to prosecute all violations thereof. Before any prosecution is begun by the commissioner of agriculture or any of his duly authorized assistants the parties concerned shall be given an opportunity to be heard before the said commissioner or a person designated by him for such purpose. The parties concerned shall be given reasonable notice of the hearing, specifying the day, hour and place thereof and accompanied by a description of the alleged violation. Such hearings shall be governed by rules and regulations prescribed by said commissioner.

Penalty for misbranding, etc., apples.

Section 108. Whoever, himself or by his servant or agent, misbrands apples within the meaning of section one hundred and five, or packs, repacks, sells, distributes or offers or exposes for sale or distribution apples which are misbranded, or packs, repacks, sells, distributes or offers for sale or distribution apples in closed or open packages so packed or repacked that the faced or shown surface gives a false representation of the color, size or quality of the other apples in the package, or packs, repacks, sells, distributes, offers or exposes for sale or distribution apples otherwise in violation of any provision of sections one hundred and one to one hundred and eight, inclusive, or wilfully alters, effaces or removes, or causes to be altered, effaced or removed, wholly or partly, any brands or marks put upon any package of apples under authority of said sections, shall be punished for the first offence by a fine of not more than fifty dollars, and for a subsequent offence by a fine of not more than two hundred dollars. Whoever obstructs or hinders the commissioner of agriculture or any of his assistants in the performance of his duties under sections one hundred and one to one hundred and seven, inclusive, shall be punished by a fine of not less than ten nor more than one hundred dollars.

Penalty for obstructing commissioner, etc., in performance of duty.

When a person who sells, etc., misbranded apples shall not be deemed to have violated provisions of §§ 101 to 108, inclusive, etc.

Section 109. No person who sells or distributes or offers or exposes for sale or distribution apples misbranded within the meaning of section one hundred and five, or apples in closed or open packages so packed or repacked that the faced or shown surface gives a false representation of the contents of the package, shall be deemed to have violated the provisions of sections one hundred and one to one hundred and eight, inclusive, relative thereto, if it appears that he acted in good faith solely as a distributor and that he was

not a party to the packing and grading of the apples in question, or if he furnishes a guaranty signed by the person from whom he received the apples, together with the address of such person, that the apples are not misbranded within the meaning of said section one hundred and five and that they are not so packed or repacked that the faced or shown surface gives a false representation of the contents of the package. In such case, the person from whom the distributor received the apples shall be liable for the acts of the distributor, if he relied upon the guaranty, to the same extent that the distributor would have been liable under said sections one hundred and one to one hundred and nine, inclusive. *Approved April 14, 1931.*

An Act correcting certain terminology in the laws relating to the care and custody of indigent and neglected children, and repealing certain obsolete provisions therein. *Chap.* 195

Be it enacted, etc., as follows:

Section 1. Section eleven of chapter one hundred and nineteen of the General Laws is hereby amended by striking out, in the second line, the words "overseers of the poor" and inserting in place thereof the words: — board of public welfare, — and by striking out, in the same line, the words "trustees for children" and inserting in place thereof the words: — institutions department, — so as to read as follows: — *Section 11.* The two preceding sections shall not apply to the department, the board of public welfare of a town, the institutions department of Boston, any incorporated charitable institution, or the officers or agents thereof. G. L. 119, § 11, amended. Application of §§ 9 and 10.

Section 2. Section twenty-two of said chapter one hundred and nineteen is hereby amended by striking out, in the first line, the words "overseers of the poor" and inserting in place thereof the words: — board of public welfare, — by striking out, in the fifth line, the words "in St. Mary's Infant Asylum and Lying-in Hospital or", — and by striking out, in the fourth line, the word "them" and inserting in place thereof the word: — him, — so as to read as follows: — *Section 22.* The board of public welfare of a town and the superintendent and board of trustees of the state infirmary shall commit any indigent or neglected infant having no known settlement in the commonwealth to the custody of the department, which shall provide for him in a family or other suitable place, as it deems expedient for the interests of the child. G. L. 119, § 22, amended. Custody of unsettled infants.

Section 3. Section twenty-eight of said chapter one hundred and nineteen is hereby amended by striking out, in the fifth, sixth and seventh lines, the words "make report to the director of the division of child guardianship or other designated officer of the department, and such officer", — and by striking out, in the twelfth line, the words "of record", G. L. 119, § 28, amended.

Duties of agents of department of public welfare as to infants under seven.

— so as to read as follows: — *Section 28.* An agent of the department specially authorized thereto may enter without actual force any building or room when such agent has reason to believe that a child under seven is sheltered or maintained apart from his parents and is not receiving proper care. The agent shall investigate the case and may, if he considers such removal necessary for the protection of the child from neglect or abuse, cause such child, if he is not under the personal care of a parent or guardian, to be removed to the custody of the department. An agent who is refused such entry or who is hindered in the removal of such child may make complaint, on oath, to a justice of a court, who may thereupon issue a warrant authorizing him to obtain sufficient aid and at any reasonable time to enter the building designated, and every part thereof, to investigate the treatment and condition of the children found there, and to remove such children as herein provided.

G. L. 119, § 38, amended.

SECTION 4. Section thirty-eight of said chapter one hundred and nineteen is hereby amended by striking out, in the fourth line, the words "overseers of the poor" and inserting in place thereof the words: — board of public welfare, — so as to read as follows: — *Section 38.* The department may provide for the maintenance of a child under the age of twenty-one, dependent on public charity, upon written application of the parent or guardian or, if there is no parent or guardian, of a friend, or of the board of public welfare of the town where such child is found.

Support by department of certain children under twenty-one years of age.

G. L. 119, § 41, amended.

SECTION 5. Section forty-one of said chapter one hundred and nineteen is hereby amended by striking out, in the fifth and sixth lines, the words "children's institutions department in Boston or by the overseers of the poor" and inserting in place thereof the words: — institutions commissioner in Boston or by the board of public welfare, — so as to read as follows: — *Section 41.* No person shall convey or cause to be conveyed a neglected or destitute child not convicted or accused of any offence in a patrol wagon from its home or from any other place to any court or institution, but, if a conveyance is necessary, shall convey him in such other suitable vehicle as shall be provided or designated by the institutions commissioner in Boston or by the board of public welfare in any other town. Violation of this section shall be punished by a fine of not less than twenty-five nor more than fifty dollars or by imprisonment for not more than three months.

Children not to be transported in patrol wagon.

Penalty.

G. L. 119, §§ 19, 23 to 27, inclusive, and 31 to 36, inclusive, repealed.

SECTION 6. Sections nineteen, twenty-three to twenty-seven, inclusive, and thirty-one to thirty-six, inclusive, of said chapter one hundred and nineteen, are hereby repealed.

Approved April 14, 1931.

An Act authorizing the grand lodge of Massachusetts order Sons of Italy in America to grant certain death benefits. *Chap.* 196

Be it enacted, etc., as follows:

Section 1. The Grand Lodge of Massachusetts Order Sons of Italy in America, as now or hereafter constituted and established under the charter, constitution and by-laws of the Supreme Lodge Order Sons of Italy in America, a corporation established under the laws of the state of New Jersey, is hereby authorized to transact business in the commonwealth and to pay a death benefit to families or dependents of deceased members as fixed by its by-laws, not exceeding five hundred dollars.

Grand Lodge of Massachusetts Order Sons of Italy in America may pay certain death benefits.

Section 2. The said grand lodge shall, except as otherwise provided in this act, be subject to the provisions of section forty-six, except the third paragraph thereof, of chapter one hundred and seventy-six of the General Laws, relative to limited fraternal benefit societies, and, in addition, to the following provisions: — The said grand lodge shall, before paying or agreeing to pay a death benefit as aforesaid exceeding two hundred dollars, file a written notice of its intention to pay such a benefit with the commissioner of insurance in such form and containing such information as the said commissioner may require and it shall, during such time as it pays or agrees to pay a death benefit exceeding said sum, file with the said commissioner annually on or before March first a financial statement, in such form and containing such information as the commissioner may require, executed on oath by two or more of its principal officers, directors or trustees, showing its financial condition as of December thirty-first of the preceding year.

Subject to certain provisions of General Laws and to certain additional provisions.

Approved April 14, 1931.

An Act to provide for the funding by the city of Waltham of certain overpayments of taxes assessed to the Waltham Watch Company. *Chap.* 197

Be it enacted, etc., as follows:

Section 1. The city of Waltham, for the purposes set forth in section two of this act, may issue from time to time bonds or notes to an amount not exceeding, in the aggregate, two hundred and twenty-five thousand dollars, which shall bear on their face the words, City of Waltham Tax Funding Loan, Act of 1931. Each authorized issue shall constitute a separate loan, and such loans shall be payable in not more than five years from their dates. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall, except as herein provided, be subject to chapter forty-four of the General Laws, exclusive of the limitation contained in the first paragraph of section seven thereof, as revised by chapter three hundred and twenty-four of the acts of nineteen hundred and twenty-eight.

City of Waltham may issue bonds or notes for purposes set forth in § 2.

City of Waltham Tax Funding Loan, Act of 1931.

To be used for purpose of paying to Waltham Watch Company certain overpayments of taxes.

SECTION 2. The sums raised by authority of this act shall be used only for the purpose of paying to the Waltham Watch Company, a Massachusetts corporation, so much of the taxes assessed upon real estate and machinery used in the conduct of its business in the years nineteen hundred and twenty-five, nineteen hundred and twenty-six, nineteen hundred and twenty-seven, nineteen hundred and twenty-eight, nineteen hundred and twenty-nine and nineteen hundred and thirty as was based upon a valuation by the assessors of said city purporting to be in excess of the fair cash value thereof, and interest, costs and other charges thereon in accordance with law, and of paying the expenses lawfully incurred by said city in proceedings arising out of said purported over-assessments. In cases in which complaints are pending in the superior court, or in cases appealed to or transferred to the board of tax appeals, payment may be made hereunder only upon a judgment of the court or on an order of the board of tax appeals; provided, that no judgment shall be paid hereunder if entered by consent without the written agreement of counsel for said city in said cases, and the approval of the mayor. In cases in which an application for abatement is pending before the board of assessors, payment hereunder may be made only upon a certificate of abatement by said board, bearing on its face the approval of said counsel and of the mayor. Other payments for the purposes herein specified shall be made hereunder upon the order of the mayor.

Payment of cases pending in superior court or appealed, etc., to board of tax appeals.

Proviso.

Payment of pending cases of abatement.

Submission to Waltham city council, etc.

SECTION 3. This act shall take full effect upon its acceptance by the city council of the city of Waltham by a majority vote of the members thereof present and voting thereon; but for the purpose of being submitted to the city council as aforesaid it shall take effect upon its passage.

Approved April 15, 1931.

Chap. 198 AN ACT TO PROVIDE FUNDS FOR THE CITY OF CAMBRIDGE WITH WHICH TO MEET CERTAIN REVENUE DEFICITS.

Be it enacted, etc., as follows:

City of Cambridge may appropriate certain amount to meet certain revenue deficits.

SECTION 1. In addition to the purposes for which appropriations are to be made of the sum of one million five hundred thousand dollars to be raised in the tax levy of nineteen hundred and thirty-one, as provided for in section two of chapter forty-three of the acts of nineteen hundred and thirty-one, the city of Cambridge is hereby authorized to appropriate from said one million five hundred thousand dollars such sums as may be necessary, not exceeding, in the aggregate, three hundred thousand dollars, for the purpose of meeting revenue deficits found by the division of accounts of the department of corporations and taxation in a report dated February seventh, nineteen hundred and thirty-one.

SECTION 2. This act shall take effect upon its passage.

Approved April 15, 1931.

An Act authorizing the city of woburn to borrow an additional sum of money for public building purposes. *Chap.* 199

Be it enacted, etc., as follows:

City of Woburn may borrow an additional sum of money for public building purposes.

Section 1. For the purpose of erecting a building for city hall and police station purposes, with accommodations therein for the fourth district court of Eastern Middlesex, including the cost of original equipment and furnishing of such building, the city of Woburn may borrow from time to time, within a period of five years from the passage of this act, such sums as may be necessary, not exceeding, in the aggregate, twenty-five thousand dollars in addition to the amount authorized by chapter two hundred and seventy-six of the acts of nineteen hundred and thirty, and may issue bonds or notes therefor, which shall bear on their face the words, Woburn Municipal Building Loan, Act of 1931. Each authorized issue shall constitute a separate loan, and such loans shall be paid in not more than fifteen years from their dates, but no issue shall be authorized under this act unless a sum equal to an amount not less than ten per cent of such authorized issue is voted for the same purpose to be raised by the tax levy of the year when authorized. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall, except as provided herein, be subject to chapter forty-four of the General Laws, exclusive of the limitation contained in the first paragraph of section seven thereof, as revised by chapter three hundred and twenty-four of the acts of nineteen hundred and twenty-eight.

Woburn Municipal Building Loan, Act of 1931.

Section 2. This act shall take effect upon its passage.

Approved April 15, 1931.

An Act relative to the erection and maintenance of one and two car garages in the city of boston. *Chap.* 200

Be it enacted, etc., as follows:

1913, 577, § 2, amended.

Section two of chapter five hundred and seventy-seven of the acts of nineteen hundred and thirteen is hereby amended by adding at the end thereof the following: — In the case of applications for permits to erect garages for the storage or keeping of not more than two cars, such notice shall be mailed as aforesaid not less than seven days prior to the hearing thereon and need be published but once, such publication to be prior to said hearing, — so as to read as follows: — *Section 2.* The notice required by the preceding section shall include a copy of the application and an order of said board specifying the time and place of the public hearing, and shall be given by publication once in each week for three successive weeks in some one newspaper regularly published in said city, and by mailing by prepaid registered mail a

Erection and maintenance of garages in city of Boston, notice of hearing, etc.

copy to every owner of record of each parcel of land abutting on the parcel of land on which the building proposed to be erected for, or maintained as a garage is to be, or is situated, and the cost of such notice and proceedings shall be borne by the applicant. In the case of applications for permits to erect garages for the storage or keeping of not more than two cars, such notice shall be mailed as aforesaid not less than seven days prior to the hearing thereon and need be published but once, such publication to be prior to said hearing. *Approved April 15, 1931.*

Chap. 201 AN ACT RELATIVE TO THE SPEED OF MOTOR VEHICLES.

Be it enacted, etc., as follows:

G. L. 90, § 17, amended.

Section seventeen of chapter ninety of the General Laws is hereby amended by striking out, in the sixth line, the word "twenty" and inserting in place thereof the word: — thirty, — by striking out, in the eighth line, the word "fifteen" and inserting in place thereof the word: — twenty, — by striking out, in the tenth line, the words "or chauffeur's", and by striking out, in the thirteenth line, the word "eight" and inserting in place thereof the word: — fifteen, — so as to read as follows: —

Speed limit of motor vehicles.

Section 17. No person operating a motor vehicle on any way shall run it at a rate of speed greater than is reasonable and proper, having regard to traffic and the use of the way and the safety of the public. It shall be prima facie evidence of a rate of speed greater than is reasonable and proper as aforesaid if a motor vehicle is operated on any way outside of a thickly settled or business district at a rate of speed exceeding thirty miles per hour for the distance of a quarter of a mile, or inside a thickly settled or business district at a rate of speed exceeding twenty miles per hour for the distance of one eighth of a mile, or in any place where the operator's view of the road traffic is obstructed either upon approaching an intersecting way, or in traversing a crossing or intersection of ways, or in going around a corner or a curve in a way, at a rate of speed exceeding fifteen miles per hour.

Approved April 15, 1931.

Chap. 202 AN ACT RELATIVE TO THE REGISTRATION OF EMBALMERS.

Be it enacted, etc., as follows:

G. L. 112, § 82, etc., amended.

SECTION 1. Chapter one hundred and twelve of the General Laws, as amended in section eighty-two by chapter four hundred and nineteen of the acts of nineteen hundred and twenty-one, is hereby further amended by striking out said section and inserting in place thereof the following: —

Examination and registration of embalmers, etc.

Section 82. Applications for registration as embalmers, signed and sworn to by the applicant, shall be made upon blanks furnished by the board of registration in embalming, herein and in the five following sections called the board.

Each applicant, who shall furnish the board with satisfactory proof that he is twenty-one years of age or over and of good moral character, that he possesses the educational qualifications required for graduation from a public grammar school, that he has attended an embalming school approved by the board which gives a course of instruction of not less than twelve weeks, and that he has served a term of apprenticeship of not less than two years with a registered embalmer, during which term he has embalmed not less than fifteen human dead bodies, shall, upon payment of five dollars, be entitled to be examined, and, if found qualified by the board, shall be registered as an embalmer, and shall receive a certificate thereof signed by the chairman and secretary of the board. Any such applicant may be re-examined at any meeting of the board upon payment of three dollars. Every registered embalmer shall annually, on such date as the board may determine, pay to the secretary thereof two dollars for the renewal of his registration. In case of failure to make the payment for the renewal of registration upon the date designated by the board, reinstatement may be obtained upon application within ten days after said date by the payment of ten dollars in addition to the regular fee of two dollars for renewal. In case a registered embalmer fails to renew his registration on the date so designated, the board, not later than two days thereafter shall so notify him.

Fee.

Re-examination.

Renewal fee.

Reinstatement.

Notification in case of failure to renew registration.

Section 2. This act shall take effect January first, nineteen hundred and thirty-two. *Approved April 15, 1931.*

Effective date.

An Act relative to the use by the Baldwinville water district of water from a certain pond or lake and its watershed in the town of Phillipston. *Chap.* 203

Be it enacted, etc., as follows:

Section fourteen of chapter sixty of the acts of nineteen hundred and twenty-five is hereby amended by inserting after the word "passage" in the seventh line the words: —, but so much of this act as authorizes the use of the water, or any portion thereof, of Phillipston pond, sometimes known as Queen lake, and the water of any streams tributary thereto within the limits of the town of Phillipston, shall become void notwithstanding the acceptance hereof unless said district shall divert said waters and begin to distribute the same to consumers in said district prior to January first, nineteen hundred and thirty-four. *Approved April 15, 1931.*

1925, 60, § 14, amended.

Authorization of use by Baldwinville Water District of water from Phillipston pond to become void, unless, etc.

An Act relative to removals of certain prisoners to the state prison colony by the commissioner of correction and the granting of permits to be at liberty to prisoners so removed. *Chap.* 204

Whereas, The deferred operation of this act would tend to defeat its purpose, therefore it is hereby declared to be an

Emergency preamble.

emergency law, necessary for the immediate preservation of the public safety.

Be it enacted, etc., as follows:

G. L. 127, new section after § 109.

SECTION 1. Chapter one hundred and twenty-seven of the General Laws is hereby amended by inserting after section one hundred and nine the following new section: — *Section 109A.* He may remove prisoners from the Massachusetts reformatory, the state farm, and the jails and houses of correction to the state prison colony, and may at any time return them to the place of imprisonment from which they were removed.

Commissioner of correction may remove certain prisoners to the state prison colony.

G. L. 127, new section after § 137.

SECTION 2. Said chapter one hundred and twenty-seven is hereby further amended by inserting after section one hundred and thirty-seven the following new section: — *Section 137A.* The board of parole in its discretion may grant any prisoner removed to the state prison colony under section one hundred and nine A a permit to be at liberty upon such terms and conditions as it shall prescribe.

Board of parole may grant permits to be at liberty to prisoners so removed.

Transfer of certain prisoners not authorized.

SECTION 3. This act shall not authorize the transfer of a prisoner serving sentence for a misdemeanor committed before its passage. *Approved April 16, 1931.*

Chap. 205 AN ACT TO PROTECT FEMALE WITNESSES INVOLVED IN ILLEGITIMACY PROCEEDINGS AND IN CRIMES INVOLVING SEX.

Be it enacted, etc., as follows:

G. L. 278, § 16A, amended.

Chapter two hundred and seventy-eight of the General Laws is hereby amended by striking out section sixteen A, inserted by chapter two hundred and fifty-one of the acts of nineteen hundred and twenty-three, and inserting in place thereof the following: — *Section 16A.* At the trial of a complaint or indictment for rape, incest, carnal abuse or other crime involving sex, where a minor under eighteen years of age is the person upon, with or against whom the crime is alleged to have been committed, or at the trial of a complaint or indictment for getting a woman with child out of wedlock, or for the non-support of an illegitimate child, the presiding justice shall exclude the general public from the court room, admitting only such persons as may have a direct interest in the case.

Protection of witnesses under age of eighteen at trials for certain crimes.

Approved April 16, 1931.

Chap. 206 AN ACT PROVIDING FOR BIENNIAL MUNICIPAL ELECTIONS IN THE CITY OF HOLYOKE.

Be it enacted, etc., as follows:

Biennial municipal elections in city of Holyoke for choice of certain officers.

SECTION 1. Beginning with the year nineteen hundred and thirty-one, municipal elections in the city of Holyoke for the choice of mayor, aldermen, members of the school committee, city clerk and city treasurer shall be held biennially on the first Tuesday in December in each odd-numbered year.

Section 2. At the biennial municipal election to be held in the year nineteen hundred and thirty-one and at every biennial municipal election thereafter, the mayor, and the aldermen to be elected thereat, shall be elected for terms of two years from the first Monday in January following their election and until their successors are qualified. The aldermen at large elected in the year nineteen hundred and thirty shall continue to hold office until the qualification of their successors who shall be elected at the biennial municipal election in the year nineteen hundred and thirty-three. The inauguration meeting of the city government shall be held on the first Monday of January following each biennial municipal election, or on the following day whenever said first Monday falls on a holiday.

Mayor and aldermen, election in 1931 and thereafter, terms of office.

Aldermen at large elected in 1930 to continue in office until, etc.

Inauguration meeting.

Section 3. At the biennial municipal election to be held in the year nineteen hundred and thirty-one and at every second biennial municipal election thereafter, the city clerk and the city treasurer shall be elected for terms of four years from the first Monday in January following their election and until their successors are qualified.

City clerk and city treasurer, election in 1931 and thereafter, terms of office.

Section 4. At the biennial municipal election to be held in the year nineteen hundred and thirty-one and at every biennial municipal election thereafter, each member of the school committee to be elected thereat at large shall be elected for a term of four years, and all members of said committee to be elected thereat by wards shall be elected for terms of two years, from the first Monday in January following their election and until their successors are qualified. The members of said committee elected in the year nineteen hundred and twenty-nine shall continue to hold office until the qualification of their successors who shall be elected at the biennial municipal election in the year nineteen hundred and thirty-three.

School committee, election in 1931 and thereafter, terms of office.

Members elected in 1929 to continue to hold office until, etc.

Section 5. If a vacancy occurs in the office of mayor before the last three months of the term of office, the board of aldermen shall order an election to fill the same for the unexpired term. If a vacancy occurs in the board of aldermen before the last six months of the term of office, the remaining members of the board of aldermen shall fill the same for the unexpired term. If a vacancy occurs in the office of city clerk or city treasurer, the aldermen shall fill the same until the first Monday in January following the next regular municipal election, and if there would be a vacancy on said first Monday, it shall be filled at such regular municipal election for the unexpired term.

Vacancy in office of mayor.

Vacancy in board of aldermen.

Vacancy in office of city clerk or city treasurer.

Section 6. So much of chapter four hundred and thirty-eight of the acts of eighteen hundred and ninety-six, and acts in amendment thereof and in addition thereto, as is inconsistent with this act, is hereby repealed.

Certain inconsistent provisions repealed.

Section 7. This act shall be submitted for acceptance to the qualified voters of said city at the annual city election in the current year in the form of the following question, which shall be placed upon the official ballot to be used at

Submission to voters, etc.

said election: — "Shall an act passed by the general court in the current year, entitled 'An Act providing for biennial municipal elections in the city of Holyoke', be accepted?" If a majority of the votes cast on said question are in the affirmative, this act shall thereupon take full effect; otherwise it shall be of no effect and the officers elected at said election shall respectively hold office for the terms now provided by law. *Approved April 16, 1931.*

Chap. 207 AN ACT RELATING TO THE SUMMONING OF THE PARENTS OR GUARDIAN OF A CHILD COMPLAINED OF AS A WAYWARD OR DELINQUENT CHILD, AS AFFECTED BY THEIR PLACE OF RESIDENCE.

Be it enacted, etc., as follows:

G. L. 119, § 55, amended.

Section fifty-five of chapter one hundred and nineteen of the General Laws is hereby amended by striking out, in the fourth line, the words "town where such child was found" and inserting in place thereof the word: — commonwealth, — so that the first paragraph will read as follows: — *Section 55.* If a child has been summoned to appear or is brought before such court upon a warrant, as provided in the preceding section, a summons shall be issued to at least one of its parents, if either of them is known to reside within the commonwealth, and, if there is no such parent, then to its lawful guardian, if there is one known to be so resident, and if not, then to the person with whom such child resides, if known. Said summons shall require the person served to appear at a time and place stated therein, and show cause why such child should not be adjudged a wayward child or delinquent child, as the case may be. If there is no such parent, guardian or person who can be summoned as aforesaid, the court may appoint a suitable person to act for such child. *Approved April 16, 1931.*

Parents or guardian of a child complained of as a wayward or delinquent child to be summoned, etc.

Chap. 208 AN ACT CORRECTING CERTAIN TERMINOLOGY IN THE LAW RELATING TO CRIMINAL PROCEEDINGS AGAINST CHILDREN.

Be it enacted, etc., as follows:

G. L. 119, § 83, amended.

Section eighty-three of chapter one hundred and nineteen of the General Laws is hereby amended by striking out, in the third line, the word "sentenced" and inserting in place thereof the word: — committed, — so as to read as follows: — *Section 83.* A boy between seven and eighteen convicted in the superior court of an offence punishable by imprisonment other than imprisonment for life may be committed to the Lyman school if under fifteen years of age, to the industrial school for boys if between fifteen and eighteen years of age, or to such punishment as is otherwise provided by law. Upon a commitment under this section, the statement and certificate required by sections seventy-seven and seventy-eight shall be made and transmitted as therein provided. *Approved April 16, 1931.*

Commitments in superior court.

An Act correcting the terminology in certain provisions of law relating to neglected children. *Chap.* 209

Be it enacted, etc., as follows:

Section 1. Chapter one hundred and nineteen of the General Laws is hereby amended by striking out section forty-five and inserting in place thereof the following: — *Section 45.* If such child has a settlement, and if the board of public welfare of the place of his settlement so requests, the commitment may be to its custody. The department may transfer its custody of any such child who has a settlement to the board of public welfare of the place of settlement, upon the request of said board, and such transfer shall thereafter relieve the commonwealth from further liability for his maintenance. G. L. 119, § 45, amended. Commitment of neglected children to boards of public welfare of places of settlement.

Section 2. Said chapter one hundred and nineteen is hereby further amended by striking out section forty-six and inserting in place thereof the following: — *Section 46.* Boards of public welfare shall have the same powers as to children committed or transferred to their custody as are given to the department as to children in its custody; but in Boston the institutions department shall have the powers and duties conferred upon boards of public welfare by this and the preceding section. G. L. 119, § 46, amended. Powers of boards of public welfare, etc.

Section 3. Section forty-nine of said chapter one hundred and nineteen is hereby amended by striking out, in the first and second lines, the words "Attendance officers in cities and overseers of the poor in towns" and inserting in place thereof the words: — Supervisors of attendance and members of boards of public welfare, — so as to read as follows: — *Section 49.* Supervisors of attendance and members of boards of public welfare shall, as often as they deem necessary, make diligent search throughout their respective towns for children under sixteen suffering want through poverty, privation or the neglect of their parents or guardians or other persons having them in charge, or from any cause whatsoever. G. L. 119, § 49, amended. Duties of supervisors of attendance and members of boards of public welfare.

Section 4. Section fifty of said chapter one hundred and nineteen is hereby amended by striking out, in the second and third lines, the words "or overseers", — so as to read as follows: — *Section 50.* Where such children are found without parents or guardians, or in charge of such parents or guardians as such officers deem unfit to care for children by reason of mental incapacity, dissolute habits or poverty, they shall provide for the temporary care of such children until proceedings may be had against them, if necessary, under sections forty-two to forty-seven, inclusive. G. L. 119, § 50, amended. Same subject.

Section 5. Section fifty-one of said chapter one hundred and nineteen is hereby amended by striking out, in the first and second lines, the words "and overseers", — so as to read as follows: — *Section 51.* Reasonable expenses incurred by such officers in furnishing aid under the two preceding G. L. 119, § 51, amended. Expenses under two preceding sections.

sections shall be paid by the town wherein the persons have legal settlements, or, if they have none, by the commonwealth, after approval by the department; and written notice shall be sent to the place of settlement or, if such persons have no settlement, to the department as otherwise provided by law. *Approved April 16, 1931.*

Chap. 210 AN ACT PROVIDING FOR ADDITIONAL ASSISTANT CLERKS OF THE MUNICIPAL COURT OF THE CITY OF BOSTON FOR CIVIL BUSINESS.

Be it enacted, etc., as follows:

G. L. 218, § 53, etc., amended.

SECTION 1. Section fifty-three of chapter two hundred and eighteen of the General Laws, as most recently amended by section two of chapter three hundred and thirty-four of the acts of nineteen hundred and twenty-eight, is hereby further amended by striking out, in the third line, the word "ten" and inserting in place thereof the word: — twelve, — so as to read as follows: — *Section 53.* There shall be a clerk and eight assistant clerks of said court for criminal business, and a clerk and twelve assistant clerks of said court for civil business. The assistant clerks shall be appointed by the clerks, respectively, subject to the approval of the justices or a majority of them, and the clerks shall be responsible for the doings of their assistants, and may remove them at pleasure. The salaries of said assistant clerks shall be payable by the county.

Municipal court of the city of Boston, clerks and assistant clerks for criminal and for civil business.

Deputy assistant clerks for civil business.

The clerk of said court for civil business may designate such employees in his office, as in his judgment may be necessary for the convenience of the public, as deputy assistant clerks of said court, who shall have the same authority to administer oaths as the assistant clerks of said court.

Rate of compensation until date when compensation of assistant clerks authorized to be appointed hereunder is established, etc.

SECTION 2. Until the date whereon the compensation of the assistant clerks authorized to be appointed hereunder is established and payable under the provisions of sections forty-nine to fifty-six, inclusive, of chapter thirty-five of the General Laws, they shall receive from the county of Suffolk the same rate of compensation as is payable to the ninth and tenth assistant clerks for civil business in said court under the provisions of section seventy-five of chapter two hundred and eighteen of the General Laws, as most recently amended by section one of chapter four hundred and fifteen of the acts of nineteen hundred and thirty.

Submission to Boston city council, etc.

SECTION 3. This act shall take effect upon its acceptance during the current year by vote of the city council of the city of Boston, subject to the provisions of its charter, but not otherwise. *Approved April 16, 1931.*

An Act providing for the payment of additional items of expense by defendants in illegitimacy proceedings. *Chap.* 211

Be it enacted, etc., as follows:

G. L. 273, § 13, amended.

Chapter two hundred and seventy-three of the General Laws is hereby amended by striking out section thirteen and inserting in place thereof the following: — *Section 13.* No law limiting adjournments or continuances shall apply to any proceedings under sections eleven to nineteen, inclusive. If the child has not been born at the time of the adjudication, the court shall continue the case from time to time until the child is born. At any time after adjudication, after inquiring into the respective means of the defendant and the mother, the court having jurisdiction of the case may make an order for the payment to the mother or to a probation officer of a sum of money determined by the court for the expenses of the pregnancy and of the confinement of the mother, whether the child is born dead or alive. If the child has died, or subsequently if the child dies, the court may make an order for the payment of its funeral expenses, whether or not other relief is sought. For failure to comply with any such order the court may order the defendant committed to jail, as for a contempt of court, for a term not exceeding two months, unless he shall sooner comply therewith.

Adjournments in illegitimacy proceedings.

Court order for payment of confinement expenses, etc.

Commitment to jail for failure to comply.

Approved April 16, 1931.

An Act relative to the consent of parents and guardians to the marriage of certain minors. *Chap.* 212

Be it enacted, etc., as follows:

G. L. 207, § 25, etc., amended.

Chapter two hundred and seven of the General Laws, as most recently amended in section twenty-five by section one of chapter three hundred and five of the acts of nineteen hundred and twenty-three, is hereby further amended by striking out said section twenty-five and inserting in place thereof the following: — *Section 25.* The probate court for the county where, or a district court within the judicial district of which, a minor under the age specified in the preceding section resides may, after hearing, make an order allowing the marriage of such minor, if the parents or surviving parent of such minor, or, if only one such parent resides in the commonwealth, that parent, or, if neither such parent is alive and a resident thereof, or if the parent or parents qualified as aforesaid to consent are disqualified as hereinafter provided, a legal guardian with custody of the person of such minor has consented to such order. If a parent has deserted his family, or if found to be insane and incapable of consent, or if found unfit under the provisions of section five of chapter two hundred and one to have custody of such minor, it shall not be necessary to obtain his consent to such order.

Marriage of certain minors, how authorized, consent of parents, etc.

If a parent whose consent would be required if living in the commonwealth lives outside thereof and the address of such parent is known, such notice of the proceedings shall be given him as the probate or district court may order. Said court may also after hearing make such order in the case of a person whose age is alleged to exceed that specified in the preceding section, but who is unable to produce an official record of birth, whereby the reasonable doubt of the clerk or registrar, as exercised under section thirty-five, may be removed. Upon receipt of a certified copy of such order by the clerk or registrar of the town where such minor resides, he shall receive the notice required by law and issue a certificate as in other cases. *Approved April 16, 1931.*

Chap. 213 An Act changing the designation of lying-in hospitals to maternity hospitals and relative to the purposes for which such hospitals are required to be licensed.

Be it enacted, etc., as follows:

G. L. 111, § 71, amended.

Section 1. Section seventy-one of chapter one hundred and eleven of the General Laws is hereby amended by striking out, in the third line, the word "lying-in" and inserting in place thereof the word: — maternity, — and by striking out, in the fifth line, the words "in labor" and inserting in place thereof the words: — during pregnancy, delivery, or while recovering from delivery, — so as to read as follows: — *Section 71.* The department of public welfare may issue a license, subject to revocation by it, to any person whom it deems suitable and responsible to establish or keep for two years a maternity hospital, hospital ward or other place for the reception, care and treatment of women during pregnancy, delivery, or while recovering from delivery, if the local board of health shall first certify to said department that, from its inspection and examination of such hospital, hospital ward or other place aforesaid, the same is suitable therefor.

Licensing of maternity hospitals.

G. L. 111, § 73, amended.

Section 2. Section seventy-three of said chapter one hundred and eleven is hereby amended by striking out, in the second line, the word "lying-in" and inserting in place thereof the word: — maternity, — so as to read as follows: — *Section 73.* Whoever establishes or keeps or is concerned in establishing or keeping a maternity hospital, hospital ward or other place for the purpose mentioned in section seventy-one or is engaged in any such business without such license, shall for a first offence be punished by a fine of not more than five hundred dollars, and for a subsequent offence by imprisonment for not more than two years.

No person to keep a maternity hospital without a license.

G. L. 111, § 7, amended.

Section 3. Section seven of said chapter one hundred and eleven is hereby amended by striking out, in the ninth line, the word "lying-in" and inserting in place thereof the word: — maternity, — so as to read as follows: — *Section 7.* If smallpox or any other contagious or infectious disease

Investigation of contagious or infectious diseases.

declared by the department to be dangerous to the public health exists or is likely to exist in any place within the commonwealth, the department shall make an investigation thereof and of the means of preventing the spread of the disease, and shall consult thereon with the local authorities. It shall have co-ordinate powers as a board of health, in every town, with the board of health thereof. It may require the officers in charge of any city or state institution, charitable institution, public or private hospital, dispensary or maternity hospital, or any board of health, or the physicians in any town to give notice of cases of any disease declared by the said department to be dangerous to the public health. Such notice shall be given in such manner as the department may deem advisable. If any such officer, board or physician refuses or neglects to give such notice, he or they shall forfeit not less than fifty nor more than two hundred dollars. *Approved April 16, 1931.*

Notice.

An Act rendering certain feeble-minded persons incapable of contracting marriage. *Chap.* 214

Be it enacted, etc., as follows:

Chapter two hundred and seven of the General Laws is hereby amended by striking out section five and inserting in place thereof the following: — *Section 5.* An insane person, an idiot, or a feeble-minded person under commitment to an institution for the feeble-minded, to the custody or supervision of the department of mental diseases, or to an institution for mental defectives, shall be incapable of contracting marriage. The validity of a marriage shall not be questioned by reason of the insanity, idiocy or of the feeble-mindedness aforesaid of either party in the trial of a collateral issue, but shall be raised only in a process instituted in the lifetime of both parties to test such validity.

Approved April 16, 1931.

G. L. 207, § 5, amended.

Insane persons or certain feeble-minded persons incapable of marrying.

An Act requiring mental and physical examinations of children before being committed as delinquents. *Chap.* 215

Be it enacted, etc., as follows:

Chapter one hundred and nineteen of the General Laws is hereby amended by inserting after section fifty-eight the following new section: — *Section 58A.* Prior to the commitment, by way of final disposition to any public institution or to the department, of a child adjudged to be a delinquent child, the court shall cause such child to receive thorough physical and mental examinations, under rules and regulations prescribed by the commissioner of mental diseases. The court shall cause copies of the reports showing the results of such examinations and of the investigation made by the probation officer to be forwarded to the superintendent of the institution to which such child is committed or to the department, as the case may be, with the warrant of commitment. *Approved April 16, 1931.*

G. L. 119, new section after § 58.

Mental and physical examinations of children before being committed as delinquents.

Reports of results.

Chap. 216 AN ACT FURTHER TO REDUCE JAIL DETENTION CARE OF CERTAIN JUVENILE OFFENDERS.

Be it enacted, etc., as follows:

G. L. 119, § 67, etc., amended.

Section sixty-seven of chapter one hundred and nineteen of the General Laws, as amended by chapter two hundred and twenty-one of the acts of nineteen hundred and twenty-seven, is hereby further amended by inserting after the word "to" in the second line of the second paragraph the words: — the department with its consent or to, — so that said paragraph will read as follows: — A child fourteen years of age or over so held, if unable to furnish bail shall be so committed to the department with its consent or to a probation officer unless the court on immediate inquiry shall be of opinion that, if so committed, such child will not appear at such examination or trial, in which case said child may be committed to jail.

Commitment of children held for examination or trial.

May be committed to jail in certain cases.

Approved April 16, 1931.

Chap. 217 AN ACT INSURING PRIVACY OF HEARINGS IN JUVENILE COURT SESSIONS.

Be it enacted, etc., as follows:

G. L. 119, § 65, amended.

Chapter one hundred and nineteen of the General Laws is hereby amended by striking out section sixty-five and inserting in place thereof the following: — *Section 65.* Courts shall designate suitable times for the hearing of cases of children under seventeen years of age, which shall be called the juvenile session, for which a separate docket and record shall be kept. Said session shall be separate from that for the trial of criminal cases, shall not, except as otherwise expressly provided, be held in conjunction with other business of the court, and shall be held in rooms not used for criminal trials; and in places where no separate juvenile court room is provided, hearings, so far as possible, shall be held in chambers. No minor shall be allowed to be present at any such hearing unless his presence is necessary, either as a party or as a witness; and the court shall exclude the general public from the room, admitting only such persons as may have a direct interest in the case.

Privacy of hearings in juvenile court sessions.

Approved April 16, 1931.

Chap. 218 AN ACT REGULATING APPEALS TO THE SUPREME JUDICIAL COURT FROM DECISIONS OF THE BOARD OF TAX APPEALS.

Emergency preamble.

Whereas, The deferred operation of this act would prevent its application to pending cases, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

G. L. 58A, § 13, amended.

SECTION 1. Chapter fifty-eight A of the General Laws, inserted by section one of chapter four hundred and sixteen of the acts of nineteen hundred and thirty, is hereby amended

by striking out section thirteen and inserting in place thereof the following: — *Section 13.* The board shall make findings of fact and a decision in each case before it, and report thereon, in writing, except that the findings of fact and report thereon may be omitted in case of a decision dismissing any proceeding upon motion of the appellant. Such report may, in the discretion of the board, contain an opinion in writing, in addition to the findings of fact and decision. All reports, findings and opinions of the board and all evidence received by the board, including a transcript of the stenographic record of the proceedings, shall be open to the inspection of the public; except that the originals of books, documents, records, models, diagrams and other exhibits introduced in evidence before the board may be withdrawn from the custody of the board in such manner and upon such terms as the board may in its discretion prescribe. The decision of the board shall be final as to findings of fact. From any decision of the board upon an appeal from a decision or determination of the commissioner, or of a board of assessors, except decisions of the board under sections twenty-five and twenty-six of chapter sixty-five, an appeal as to matters of law may be taken to the supreme judicial court by either party to the proceedings before the board. A claim of appeal shall be filed with the clerk of the board within twenty days after the date of the decision of the board; and within twenty days thereafter, or within such further time as the board may allow, the appealing party shall enter the appeal in said court, in the county where either party lives or has his usual place of business, or in Suffolk county, and shall file with the clerk of said court a copy of the record before the board, shall serve by registered mail upon the adverse party a copy of the claim of appeal and a notice that he has entered said appeal and shall file an affidavit of such service with said clerk. The record in such an appeal shall include copies of the following: — the tax returns and lists, if any, filed by the taxpayer, so far as material to the controversy, the original assessment or other original determination in issue, so far as material, the request for abatement or other petition filed with the commissioner or with the board of assessors and the decision or determination thereon, the petition upon appeal to the board, the answer to the petition and other pleadings, if any, filed with the board, the report and findings of the board including any opinions filed, all requests for rulings of law and findings of fact and the disposition of each by the board, the claim of appeal to the supreme judicial court and such portion of the stenographic transcript of the evidence before the board as may be necessary for the consideration of any question of law raised before the board, which it is alleged that the board has erroneously decided. Each claim of appeal shall set out separately and particularly each error of law asserted to have been made by the board, with precise references to the portions and particu-

Board of tax appeals to make report of findings of fact and decision.

To be open to public inspection.

Decision final as to findings of fact.

Appeal as to matters of law may be taken to supreme judicial court.

Claim of appeal to be filed within certain time, etc.

What record in appeal shall include.

Each error of law to be set out separately, etc.

Hearing and determination by full court.

Record to be printed.

Expense to be paid by appealing party.

Court order, etc.

Abatement of tax, etc.

Appeal to supreme judicial court to be exclusive method of reviewing action of board, except, etc.

Dismissal of appeal.

lars of the proceedings before the board in which it is alleged that error of law occurred. Upon the entry of the appeal it shall be heard and determined by the full court. Within ten days from the entry of the appeal in the supreme judicial court the appealing party shall give the clerk of said court an order in writing to print the record filed with him and the affidavit of service for transmission to the full court, and, thereupon, in the manner provided in the second paragraph of section one hundred and thirty-five of chapter two hundred and thirty-one for carrying questions of law to the full court, the expense shall be estimated, notified to and paid by the appealing party, said record shall be printed and, together with any original papers, transmitted to the full court, and said appeal shall be entered on the docket of the full court. The court shall not consider any issue of law which does not appear to have been raised in the proceedings before the board. The court upon determination of the appeal may make such order as such determination may require including an order for costs. Upon the entry of such order, with or without an order for costs, a copy thereof shall be transmitted by the clerk of said court to the clerk of said board. If the order grants an abatement of a tax assessed by the commissioner or by the board of assessors of a town and the tax has been paid, the amount abated with interest at the rate of six per cent per annum from the time when the tax was paid, and, if costs are ordered against the commissioner or against a board of assessors, the amount thereof, shall be paid to the taxpayer by the state treasurer or by the town treasurer, as the case may be, and, if unpaid in the latter case, execution therefor may issue against the town as in actions at law. If costs are ordered against a taxpayer execution shall issue therefor. The appeal to the supreme judicial court under this section shall be the exclusive method of reviewing any action of the board, except action under sections twenty-five and twenty-six of chapter sixty-five. For want of prosecution of an appeal in accordance with the provisions of this section the board, or, if the appeal has been entered in the supreme judicial court a justice of that court, may dismiss the appeal. Upon dismissal of an appeal the decision of the board shall thereupon have full force and effect.

Applicable to pending cases.

Taxpayers not to be deprived of a previously vested right to relief.

SECTION 2. This act shall apply to all pending cases before the board of tax appeals. It shall not however be construed to deprive any taxpayer of a previously vested right to relief but shall be deemed only to alter the remedy for excessive or illegal taxation heretofore existing.

Approved April 17, 1931.

An Act relative to the preparation and transmission to the full court of the supreme judicial court of necessary papers in appellate civil proceedings and the entry of such proceedings in said court. *Chap.* 219

Emergency preamble.

Whereas, The deferred operation of this act would tend to defeat its purpose, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

G. L. 231, § 135, par. second, etc., amended.

The second paragraph of section one hundred and thirty-five of chapter two hundred and thirty-one of the General Laws, as amended by section one of chapter two hundred and sixty-five of the acts of nineteen hundred and twenty-nine, is hereby further amended by striking out, in the ninth, tenth and eleventh lines, the words "appeal or allowance of the bill of exceptions or the determination by the court in which the questions arose of the form of the transmitting order" and inserting in place thereof the words: — case becomes ripe for final preparation and printing of the record for the full court, — by striking out, in the sixteenth and seventeenth lines, the words "the necessary transcripts of stenographic notes and of", — by inserting after the word "estimate" in the twenty-second line the words: — and such further amount beyond such estimate as the clerk or other official may find to be then due for such preparation, — by inserting after the word "shall" in the twenty-seventh line the words: — pay to the clerk or other official any balance then due therefor and shall, — and by adding at the end thereof the following two new sentences: — The court in which the case is pending, or any justice or judge thereof, may, for cause shown after hearing, extend the time for doing any of the acts required by this paragraph. The entry of the case shall not, except as otherwise provided by law, transfer the case, but only the question to be determined, — so as to read as follows: — In order to carry any question of law from the supreme judicial court when held by a single justice or from any other court to the full court of the supreme judicial court upon appeal, exception, reservation, report or otherwise as authorized by law, the party having the obligation to cause the necessary papers hereinbefore specified to be prepared shall give to the clerk, recorder, register or other appropriate official of the court in which the case is pending, within ten days after the case becomes ripe for final preparation and printing of the record for the full court, an order in writing for the preparation of such papers and copies of papers for transmission to the full court of the supreme judicial court. As soon as may be after receiving such written order, the clerk or other official shall make an estimate of the expense of the preparation and transmission of the necessary papers and copies of papers aforesaid and shall give such party notice in writing of the

When order in writing for preparation and transmission to full court of supreme judicial court of necessary papers and copies in appellate civil proceedings, shall be given to clerk, recorder, etc., of court in which case is pending.

Estimate of expense.

Payment.

amount of such estimate. Such party, within twenty days after the date of such notice from the clerk or other official, shall pay to him the amount of such estimate and such further amount beyond such estimate as the clerk or other official may find to be then due for such preparation. The clerk or other official then without delay shall prepare the papers and copies of papers aforesaid for transmission and when they are ready shall give notice in writing of such fact to the party ordering them, who, within five days after the date of such notice, shall pay to the clerk or other official any balance then due therefor and shall enter the case in the supreme judicial court for the commonwealth, or for the proper county. The court in which the case is pending, or any justice or judge thereof, may, for cause shown after hearing, extend the time for doing any of the acts required by this paragraph. The entry of the case shall not, except as otherwise provided by law, transfer the case, but only the question to be determined. *Approved April 17, 1931.*

Entry of case.

Extension of time for cause shown.

Entry of case not to transfer case, etc.

Chap. 220 AN ACT CHANGING AND ESTABLISHING A PART OF THE BOUNDARY LINE BETWEEN THE TOWNS OF BRIDGEWATER AND EAST BRIDGEWATER.

Be it enacted, etc., as follows:

Part of boundary line between towns of Bridgewater and East Bridgewater changed and established.

SECTION 1. The following described line shall hereafter be a part of the boundary line between the towns of Bridgewater and East Bridgewater: — Beginning at a point which is located in the boundary line between the towns of Bridgewater and Halifax, a distance of about eighteen feet southerly from the existing corner bound of the towns of Bridgewater, East Bridgewater and Halifax, thence extending along the southerly and westerly side line of a new location of Plymouth street as most recently laid out by the county commissioners of Plymouth county a distance of about three thousand feet to a point in the existing southerly line of said Plymouth street; thence along the present boundary line in the southerly and westerly side line of Plymouth street to a point on the westerly side line of said street near the intersection of Washington street with said Plymouth street; thence along the westerly side line of a new location of Plymouth street as most recently laid out by said county commissioners to a point in the existing westerly side line of said Plymouth street near Pond street; thence along the present boundary line in the southerly side lines of said Plymouth and Pond streets to the bound monument located on the southerly side of Pond street.

SECTION 2. This act shall take effect upon its passage. *Approved April 21, 1931.*

An Act enabling the city of Gloucester to contract with the Boston and Maine Railroad relative to the water supply of said city. *Chap.* 221

Be it enacted, etc., as follows:

City of Gloucester may contract with Boston and Maine Railroad in order to facilitate extension, etc., of water supply system.

Section 1. The city of Gloucester is hereby authorized and empowered to enter into a contract with the Boston and Maine Railroad for the purpose of flowing a portion of the right-of-way of said Boston and Maine Railroad and making certain changes and alterations in said right-of-way considered necessary in order to facilitate the extension and improvement of the water supply system of said city, such contract to be upon such terms and conditions as may be agreed upon by said city and said railroad and subject to the provisions of this act.

Contract, by whom signed.

Specifications.

Section 2. Said contract shall be signed on behalf of the city of Gloucester by its board of water commissioners and its mayor, authorized by its municipal council, and on behalf of the Boston and Maine Railroad by its president or a vice president, authorized by its board of directors, and shall specify the manner and limits within which said changes and alterations shall be made, by which party the work shall be done, the general method of construction, how the total cost of the work shall be paid, how the future expenses of maintenance and repairs shall be borne, and shall provide full indemnity for the railroad against all loss or damage caused by the construction, maintenance and use of said water supply system, including loss or damage resulting from flood or freshet.

Full indemnity for railroad against loss or damage, etc.

Section 3. This act shall take effect upon its passage.

Approved April 21, 1931.

An Act providing for an additional associate medical examiner in and for district two in Barnstable county. *Chap.* 222

Be it enacted, etc., as follows:

G. L. 38, § 1, etc., amended.

Section 1. Section one of chapter thirty-eight of the General Laws, as amended by chapter twelve of the acts of nineteen hundred and twenty-six, is hereby further amended by inserting after the word "districts" in the ninth line, as printed in the General Laws, the following: —, except in district two in Barnstable county in and for which one examiner and two associate examiners shall be so appointed, — so that the second paragraph will read as follows: — Two examiners and two associate examiners in Suffolk county, and one examiner and one associate examiner in Nantucket county and in each of the following districts, except in district two in Barnstable county in and for which one examiner and two associate examiners shall be so appointed:

Appointment of medical examiners and associate examiners in the several counties.

Additional associate examiner in and for district two in Barnstable county.

Section 2. This act shall take effect upon its passage.

Approved April 21, 1931.

*Chap.*223 AN ACT AUTHORIZING THE COUNTY OF PLYMOUTH TO LEASE TO THE TOWN OF PLYMOUTH CERTAIN COUNTY PROPERTY FOR USE AS A POLICE STATION AND VALIDATING CERTAIN ACTION TAKEN RELATIVE TO SUCH PROPERTY.

Be it enacted, etc., as follows:

Plymouth county may lease to town of Plymouth certain county property for use as a police station.

SECTION 1. The county commissioners of the county of Plymouth, acting in the name and on behalf of the said county, may lease to the town of Plymouth, for a period of twenty years, a portion of the old jail building in the rear of the court house in said town, for use as a police station.

Certain action taken relative to property validated and confirmed.

SECTION 2. All action taken by said county commissioners and by said town and its officials during the year nineteen hundred and thirty and the current year prior to the passage of this act, relative to the remodeling of said building with a view to said use, is hereby validated and confirmed.

SECTION 3. This act shall take effect upon its passage.

Approved April 21, 1931.

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*Chap.*224 AN ACT AUTHORIZING THE TOWN OF ROCKPORT TO USE CERTAIN PARK LAND FOR WATER SUPPLY PURPOSES.

Be it enacted, etc., as follows:

Town of Rockport may use certain park land for water supply purposes.

SECTION 1. The town of Rockport is hereby authorized to use so much of Land Mark Field, so called, located at the top of Pigeon Hill in said town and held by it for public park purposes, as may be necessary for the construction and maintenance thereon of a water storage standpipe and such water mains, connections and appliances as may be needed for the full utilization of said standpipe.

SECTION 2. This act shall take effect upon its passage.

Approved April 21, 1931.

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*Chap.*225 AN ACT RELATIVE TO THE BORROWING CAPACITY OF THE CITY OF BOSTON WITHIN THE STATUTORY LIMIT OF INDEBTEDNESS.

Be it enacted, etc., as follows:

1916 (S), 267, § 5, amended.

SECTION 1. Chapter two hundred and sixty-seven of the Special Acts of nineteen hundred and sixteen is hereby amended in section five by striking out all after the word "repealed" in the fourth line so that said section as amended shall read as follows: — *Section 5.* Chapter four hundred and fifty of the acts of the year nineteen hundred and seven, and section four of chapter three hundred and thirty-one of the acts of the year nineteen hundred and fourteen are hereby repealed.

1907, 450, and 1914, 331, § 4, repealed.

Borrowing capacity of city of Boston within statutory limit of indebtedness.

SECTION 2. The commissioners of sinking funds of the city of Boston, together with the treasurer and auditor of said city, are hereby authorized to certify to the city council their estimate of any additional amount, beyond the amount

already certified as herein provided, which said city will be able to borrow during the year nineteen hundred and thirty-one within the debt limit established by section ten of chapter forty-four of the General Laws which governs the establishment of such limit in said city; and said city is hereby authorized to borrow such additional amount, or any portion thereof, at any time or times during said year.

Section 3. This act shall take effect upon its passage.

Approved April 21, 1931.

An Act eliminating certain ambiguities in the law defining the offences of desertion, non-support and abandonment of wives and minor children. *Chap.* 226

Be it enacted, etc., as follows:

G. L. 273, § 1, etc., amended.

Chapter two hundred and seventy-three of the General Laws, as most recently amended in section one by section one of chapter two hundred and fifty-eight of the acts of nineteen hundred and twenty-nine, is hereby further amended by striking out said section one of said chapter two hundred and seventy-three and inserting in place thereof the following: — *Section 1.* Any husband or father who without just cause deserts his wife or minor child, whether by going into another town in the commonwealth or into another state, and leaves them or any or either of them without making reasonable provision for their support, and any husband or father who unreasonably neglects or refuses to provide for the support and maintenance of his wife or minor child, and any husband or father who abandons or leaves his wife or minor child in danger of becoming a burden upon the public, and any mother who deserts or wilfully neglects or refuses to provide for the support and maintenance of her child under the age of sixteen, and any parent whose minor child by reason of the neglect, cruelty, drunkenness, habits of crime or other vice of such parent is growing up without education, or without salutary control, or without proper physical care, or in circumstances exposing such child to lead an idle and dissolute life, shall be punished by a fine of not more than two hundred dollars or by imprisonment for not more than one year, or both. No civil proceeding in any court shall be held to be a bar to a prosecution hereunder for desertion or non-support. In a prosecution hereunder for desertion or non-support against a husband, a decree or judgment of a probate court in a proceeding in which the husband appeared or was personally served with process, establishing the right of the wife to live apart, or her freedom to convey and deal with her property, or the right to the custody of the children, shall be admissible and shall be prima facie evidence of such right.

Penalty for desertion, non-support and abandonment of wives and minor children.

Civil proceedings not to bar prosecution for desertion or non-support.

Prima facie evidence of right of wife to live apart from husband, etc.

Approved April 21, 1931.

Chap. 227 AN ACT AUTHORIZING THE TOWN OF FOXBOROUGH TO TAKE OVER THE PROPERTIES AND ASSUME THE OBLIGATIONS OF THE FOXBOROUGH WATER SUPPLY DISTRICT.

Be it enacted, etc., as follows:

Town of Foxborough may take over properties and assume obligations of The Foxborough Water Supply District.

SECTION 1. The town of Foxborough is hereby authorized to take over all the properties, rights, powers and privileges of The Foxborough Water Supply District, as established by chapter one hundred and ninety-six of the acts of eighteen hundred and seventy-nine, as amended, and to assume all the duties and obligations of said district, and shall thereby become in all respects the lawful successor to said district.

Certain acts, suits or proceedings, etc., not affected.

SECTION 2. The provisions of this act shall not affect any act done, ratified or confirmed by the said district or any of its officers prior to the effective date of this act, nor any right accrued or established, nor any action, suit or proceeding commenced or had in a civil case, nor shall it impair the validity of any of the notes, bonds or other obligations of the said district outstanding on said date.

Commissioners of water district to continue to have charge until, etc.

Receipts to be paid to town treasurer, etc.

SECTION 3. The commissioners of the water district shall continue to have charge of the water district until such time as their successors are appointed in accordance with general law. All receipts of the departments of the district taken over by the town shall be paid to the town treasurer, and all disbursements on account of said departments shall be made by the treasurer in the same manner as bills of other departments of the town.

Submission to voters of The Foxborough Water Supply District and to voters of town of Foxborough.

SECTION 4. This act shall take effect upon its acceptance by a majority vote of the voters of The Foxborough Water Supply District present and voting at a meeting called for the purpose, and by a majority vote of the voters of the town of Foxborough present and voting at any town meeting held prior to December thirty-first, nineteen hundred and thirty-two; but, for the purpose of such acceptance only, it shall take effect upon its passage.

Approved April 21, 1931.

Chap. 228 AN ACT GIVING PREFERENCE, IN PURCHASES FOR CERTAIN STATE DEPARTMENTS AND INSTITUTIONS, TO SUPPLIES AND MATERIALS MANUFACTURED AND SOLD WITHIN THE COMMONWEALTH.

Be it enacted, etc., as follows:

G. L. 7, § 22, etc., amended.

Section twenty-two of chapter seven of the General Laws, as appearing in section one of chapter three hundred and sixty-two of the acts of nineteen hundred and twenty-three and as amended by chapter four hundred and forty-six of the acts of nineteen hundred and twenty-four, is hereby further amended by inserting after clause (16) the following additional clause: —

In purchases for certain state departments and institutions, preference to be given to supplies and materials manufactured and sold within state.

(17) A preference in the purchase of supplies and materials, other considerations being equal, in favor of supplies and materials manufactured and sold within the commonwealth.

Approved April 21, 1931.

An Act authorizing the transfer of certain land in the Dorchester district of the city of Boston from the school department to the park department of said city. *Chap.*229

Be it enacted, etc., as follows:

The school committee of the city of Boston may transfer certain land in the Dorchester district of said city to the board of park commissioners.

Section 1. The school committee of the city of Boston is hereby authorized to transfer to the board of park commissioners of said city, control and charge of a certain parcel of land or such portion thereof as is determined by the school committee and park commissioners in the vicinity of Dunbar avenue in the Dorchester district of said city, originally acquired by said city of Boston, for school and other purposes in connection with the Dorchester high school for boys; and said board of park commissioners shall assume control of the said land for the purpose of developing and maintaining a public park and recreation center in accordance with the terms of chapter forty-five of the General Laws.

Submission to city council and to Boston school committee.

Section 2. This act shall take effect upon its acceptance by the city of Boston by vote of the city council subject to the provisions of its charter and to vote of the school committee of the city of Boston. *Approved April 21, 1931.*

An Act relative to the transmission of the birth record of a child born out of wedlock. *Chap.*230

Be it enacted, etc., as follows:

G. L. 46, § 12, etc., amended.

Chapter forty-six of the General Laws, as amended in section twelve by chapter one hundred and thirty-two of the acts of the current year, is hereby further amended by striking out said section twelve and inserting in place thereof the following: — *Section 12.* Except as hereinafter provided, each town clerk shall forthwith make a certified copy of the record of each birth and death recorded during the previous month, if the parents of the child born or the deceased were residents of any other town in the commonwealth or in any other state at the time of said birth or death, and transmit it to the clerk of the town where such parents or deceased person were so resident, stating the name of the street and number of the house, if any, where such parents or deceased person so resided; and the clerk of a town in the commonwealth receiving such certified copy, or certified copies of births, marriages or deaths, from the clerk of a town without the commonwealth, shall record the same and transmit to the state secretary a certified copy of the record thereof. No birth record of a child born out of wedlock shall so be transmitted to any other city or town.

Copies of records of certain births, marriages and deaths.

Transmission to state secretary.

Birth record of child born out of wedlock not to be transmitted.

Approved April 21, 1931.

Chap. 231 AN ACT TO ESTABLISH THE CHARLEMONT FIRE DISTRICT AND TO PROVIDE FOR SUPPLYING THE SAME WITH WATER.

Be it enacted, etc., as follows:

Charlemont Fire District established.

SECTION 1. The inhabitants of the town of Charlemont, liable to taxation in said town and residing within the territory enclosed by the following boundary lines, to wit: — Beginning at a point on the Deerfield river at the southeasterly corner of William L. Warner's land; thence northerly to the northwest corner of land of Homer Sherman; thence easterly on said Sherman's land to his northeast corner; thence easterly in a straight line to the southwest corner of land of the Deerfield Valley Agricultural Society; thence easterly along the southern boundary of said society's land to its southeast corner; thence easterly to the northwest corner of land of Olive Adella Cooley; thence southerly by land of said Cooley across the Mohawk Trail in a straight line to the Deerfield river; and thence westerly on said river to the place of beginning, — shall constitute a fire district, and are hereby made a body corporate, by the name of the Charlemont Fire District, hereinafter called the district, for the purpose of supplying themselves with water for the extinguishment of fires and for domestic and other purposes, with power to establish fountains and hydrants and to relocate and discontinue the same, for assessing and raising taxes as provided herein for payment for such services, and for defraying the necessary expenses of carrying on the business of said district, subject to all general laws now or hereafter in force relating to such districts, except as otherwise provided herein.

May purchase and hold water of any well, pond, etc., within limits of town of Charlemont, and may take necessary lands, rights of way, etc.

SECTION 2. For the purposes aforesaid, said district, acting by and through its board of water commissioners hereinafter provided for, may purchase and hold the water, or any portion thereof, of any well, pond, brook or stream within the limits of the town of Charlemont and the water rights connected therewith; and for said purposes may take, under chapter seventy-nine of the General Laws, or acquire by purchase or otherwise, and hold, all lands, rights of way and other easements necessary for collecting, storing, holding, purifying and preserving the purity of the water and conveying the same to any part of said district; provided, that no source of water supply or lands necessary for preserving the quality of the water shall be so acquired or used without first obtaining the advice and approval of the state department of public health, and that the location of all dams, reservoirs and wells to be used as sources of water supply under this act shall be subject to the approval of said department. Said district may construct on the lands acquired and held under this act proper dams, reservoirs, standpipes, tanks, buildings, fixtures and other structures, and may make excavations, procure and operate machinery and provide such other means and appliances, and do such other things as may be necessary for the establishment and maintenance of complete and

Proviso.

May construct dams, standpipes, etc., make excavations, etc.

effective water works; and for that purpose may construct wells and reservoirs and establish pumping works, and may construct, lay and maintain aqueducts, conduits, pipes and other works under or over any land, water courses, railroads, railways and public or other ways, and along such ways, in said town, in such manner as not unnecessarily to obstruct the same; and for the purposes of constructing, laying, maintaining, operating and repairing such conduits, pipes and other works, and for all proper purposes of this act, said district may dig up or raise and embank any such lands, highways or other ways in such manner as to cause the least hindrance to public travel on such ways; provided, that all things done upon any such way shall be subject to the direction of the selectmen of the town of Charlemont. Said district shall not enter upon, construct or lay any conduit, pipe or other works within the location of any railroad corporation except at such time and in such manner as it may agree upon with such corporation, or in case of failure so to agree, as may be approved by the department of public utilities.

May construct wells, etc., lay aqueducts, conduits, etc.

May dig up and embank lands, highways, etc.

Proviso.

Requirements for entry upon railroad locations.

Section 3. Any person sustaining damages in his property by any taking under this act or any other thing done under authority thereof may recover such damages from said district under said chapter seventy-nine.

Property damages, recovery, etc.

Section 4. For the purpose of paying the necessary expenses and liabilities incurred under the provisions of this act, other than expenses of maintenance and operation, the said district may borrow from time to time such sums as may be necessary, not exceeding in the aggregate thirty thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Charlemont Fire District Loan, Act of 1931. Each authorized issue shall constitute a separate loan, and such loans shall be payable in not more than thirty years from their dates. Indebtedness incurred under this act shall be subject to chapter forty-four of the General Laws.

District may borrow money, issue bonds, etc.

Charlemont Fire District Loan, Act of 1931.

Section 5. The said district shall, at the time of authorizing the said loan or loans, provide for the payment thereof in accordance with section four of this act; and when a vote to that effect has been passed, a sum which, with the income derived from water rates, will be sufficient to pay the annual expense of operating the water works and interest as it accrues on bonds or notes issued as aforesaid, and to make such payments on the principal as may be required under this act, shall, without further vote, be assessed upon the said district by the assessors of the town of Charlemont annually thereafter until the debt incurred by said loan or loans is extinguished.

Payment of loan, etc.

Section 6. Any land taken or acquired under this act shall be managed, improved and controlled by the board of water commissioners hereinafter provided for, in such manner as they shall deem for the best interest of the district. All authority vested in said board by this section shall be subject to the provisions of section nine.

Land acquired to be managed, etc., by board of water commissioners.

Assessment and collection of taxes.

SECTION 7. Whenever a tax is duly voted by said district for the purposes of this act, the clerk shall send a certified copy of the vote to the assessors of the town of Charlemont, who shall assess the same on said district in the same manner in all respects in which town taxes are required by law to be assessed. The assessment shall be committed to the town collector who shall collect the tax in the manner provided for the collection of town taxes, and shall deposit the proceeds with the district treasurer for the use and benefit of the district. The district may collect interest on overdue taxes in the same manner in which interest is authorized to be collected on town taxes.

Meeting, how called.

SECTION 8. A meeting of the voters of the territory included within the boundaries set forth in section one shall be called, on petition of ten or more legal voters therein, by a warrant from the selectmen of the town of Charlemont, or from a justice of the peace, directed to one of the petitioners, requiring him to give notice of the meeting by posting copies of the warrant in two or more public places in the district seven days at least before the time of the meeting. One of the petitioners shall preside at the meeting until a clerk is chosen and sworn, and the clerk shall preside until a moderator is chosen. After the choice of a moderator, the question of the acceptance of this act shall be submitted to the voters, and if it shall be accepted by a majority of the voters present and voting thereon it shall take full effect, and the meeting may then proceed to act upon the other articles contained in the warrant.

District clerk and a district treasurer, election, terms.

SECTION 9. Said district shall, at the same meeting at which this act is accepted and after such acceptance, elect by ballot a district clerk and a district treasurer, who may be the same person, to hold office until the expiration of one year from the next succeeding annual meeting, and at each annual meeting after the first, their successors shall be elected by ballot for one year; and there shall also be elected by ballot three persons to hold office, one until the expiration of three years, one until the expiration of two years, and one until the expiration of one year, from the next succeeding annual meeting, to constitute a board of water commissioners. At each annual meeting after the first, one such commissioner shall be elected by ballot for three years. All officers of the district shall hold office until their successors are elected and qualified. All the authority granted to said district by this act, except sections four and five and except as otherwise specially provided, shall be vested in the said board of water commissioners, who shall be subject, however, to such instructions, rules and regulations as the district may impose by its vote. Any vacancy occurring in said board from any cause may be filled for the remainder of the unexpired term by the district at any legal meeting called for the purpose. No money shall be drawn from the district treasury except upon the written order of a majority of the said board.

Board of water commissioners, election, powers, etc.

Vacancy, how filled.

Section 10. Said commissioners shall fix just and equitable prices and rates for the use of water, and shall prescribe the time and manner of payment. The income of the water works shall be appropriated to defray all operating expenses, interest charges and payments on the principal as they accrue upon any bonds or notes issued under authority of this act. If there should be a net surplus remaining after providing for the aforesaid charges, it may be appropriated for such new construction as said commissioners may recommend, and in case a surplus should remain after payment for such new construction the water rates shall be reduced proportionately. Said commissioners shall annually, and as often as said district may require, render a report upon the condition of the works under their charge, and an account of their doings, including an account of receipts and expenditures.

Commissioners to fix water rates, etc.

Income, how used.

Net surplus.

Annual, etc., report.

Section 11. Said district may adopt by-laws prescribing by whom and how meetings may be called, notified and conducted and upon the application of ten or more legal voters of said district, meetings may also be called by warrant from a justice of the peace as provided in section eight; said district may establish rules and regulations for the management of its water works not inconsistent with this act or with law and may also choose such other officers, not provided for in this act, as it may deem proper or necessary. Said district shall have all the rights and privileges conferred by law upon water districts and fire districts, so far as applicable.

Adoption of by-laws, calling of meetings, etc.

Section 12. Whoever wilfully or wantonly corrupts, pollutes or diverts any water obtained or supplied under this act, or wilfully or wantonly injures any reservoir, standpipe, aqueduct, pipe or other property, owned or used by said district for the purposes of this act, shall forfeit and pay to the district three times the amount of damages assessed therefor, to be recovered in an action of tort; and upon conviction of any of the above wilful or wanton acts shall be punished by a fine of not more than one hundred dollars or by imprisonment for not more than six months.

Penalty for polluting water, etc.

Section 13. Said district with the advice and approval of the department of public health may sell at public or private sale or may exchange any real property or any easements, whether taken by eminent domain or otherwise, no longer needed for works under its charge, or may from time to time lease any property not then so needed, and may at its discretion by lease, license or other agreement permit the construction and maintenance on any land under its control of towers, poles, wires and other structures for the purpose of transmitting electric power over lands and water of said district held for water supply purposes under this act; provided, that in the opinion of the said department such lease, license or agreement will not affect or interfere with the water supply; and provided, further, that said district may revoke said lease, license or agreement for cause to be determined by it with the approval of said department.

District may sell at public or private sale, with approval of department of public health, any real property, etc., no longer needed, etc.

Provisos.

Submission to voters of district, etc.

SECTION 14. This act shall take effect upon its acceptance by a majority of the voters of the district described in section one, present and voting thereon at a meeting called for the purpose within three years after its passage; but the number of meetings so called in any one year shall not exceed three; and for the purpose of being submitted to the voters as aforesaid, this act shall take effect upon its passage.

Approved April 21, 1931.

Chap. 232 AN ACT AUTHORIZING THE TOWN OF RAYNHAM TO SUPPLY ITSELF AND ITS INHABITANTS WITH WATER.

Be it enacted, etc., as follows:

Town of Raynham may supply itself and its inhabitants with water.

SECTION 1. The town of Raynham may supply itself and its inhabitants with water for the extinguishment of fires and for domestic and other purposes; may establish fountains and hydrants, relocate or discontinue the same, and may regulate the use of such water and fix and collect rates to be paid for the use of the same.

May contract to purchase water from city of Taunton, from the South Easton and Eastondale fire and water district in town of Easton and from towns of West Bridgewater, Bridgewater and Middleborough, etc.

SECTION 2. For the purposes aforesaid, the said town, acting by and through its board of water commissioners hereinafter provided for, may contract to purchase water from the city of Taunton, from the South Easton and Eastondale fire and water district in the town of Easton and from the towns of West Bridgewater, Bridgewater and Middleborough, or any of them, for such periods of time, in such manner, on such terms and conditions and in such amounts as said town of Raynham may from time to time by vote determine, and for the purpose aforesaid the said town of Raynham, by its board of water commissioners hereinafter provided for, may from time to time make a contract or contracts for a term or terms not to exceed fifteen years from the date thereof and said city, said district and said other towns, or any of them, may sell to the town of Raynham as aforesaid.

May acquire certain waters, etc.

The said town of Raynham, for the purposes aforesaid, may lease, or take by eminent domain under chapter seventy-nine of the General Laws, or acquire by purchase or otherwise, and hold, the waters, or any portion thereof, of any pond, brook, spring or stream or of any ground water sources by means of driven or other wells or filter galleries, within the limits of said town, and the water rights and water sources connected therewith; and also may take by eminent domain under said chapter seventy-nine, or acquire by purchase or otherwise, and hold, all lands, rights of way and easements necessary for collecting and storing such water and protecting and preserving the purity thereof and for conveying the same to any part of said town of Raynham; provided, that no source of water supply and no lands necessary for protecting and preserving the purity of the water shall be taken without first obtaining the advice and approval of the department of public health, and that the location of all dams, reservoirs, wells or filter galleries, fil-

May acquire certain lands, etc.

Proviso.

tration plants or other works to be used as sources of water supply under this act shall be subject to the approval of said department. Said town may construct and may erect on the lands taken or held under the provisions of this act proper dams, reservoirs, pumping and filtration plants, buildings, standpipes, fixtures and other structures, and may make excavations, procure and operate machinery and provide such other means and appliances and do such other things as may be necessary for the establishment and maintenance of complete and effective water works; and for that purpose may construct wells and reservoirs, establish pumping works, and lay down and maintain conduits, pipes and other works, under or over any lands, water courses, railroads, railways or public or private ways, and along any such way in said town in such manner as not unnecessarily to obstruct the same; and for the purpose of constructing, laying, maintaining, operating and repairing such conduits, pipes and other works, and for all other proper purposes of this act, said town may dig up or raise and embank any such lands, highways or other ways in such manner as to cause the least hindrance to public travel thereon. Said town shall not enter upon, construct or lay any conduits, pipes or other works within the location of any railroad corporation except at such time and in such manner as it may agree upon with such corporation or, in case of failure so to agree, as may be approved by the department of public utilities.

May erect structures, etc.

May construct wells, lay conduits, etc.

May dig up and embank lands, highways, etc.

Restrictions as to entry upon railroad locations.

Section 3. The land, water rights and other property taken or acquired under this act, and all works, buildings and other structures erected or constructed thereunder, shall be managed, improved and controlled by the board of water commissioners hereinafter provided for, in such manner as they shall deem for the best interest of the town.

Land acquired to be managed, etc., by board of water commissioners.

Section 4. Any person or corporation injured in his or its property by any action of said town or board under this act may recover damages from said town under said chapter seventy-nine; provided, that the right to damages for the taking of any water, water source or water right, or any injury thereto, shall not vest until the water is actually withdrawn or diverted by said town under authority of this act.

Property damages, recovery, etc.

Proviso.

Section 5. The town of Raynham may furnish and sell by meter water to the commonwealth, acting through its appropriate department, for the use of any institution.

Town may sell by meter water to state, etc.

Section 6. The commonwealth, acting through its appropriate department, may purchase water from said town of Raynham for the use of any state institution and may lay all necessary pipes and mains.

State may purchase water from town, etc.

Section 7. Said town may, for the purpose of paying the necessary expenses and liabilities incurred or to be incurred under the provisions of this act, other than expenses of maintenance and operation, issue from time to time bonds or notes to an amount, not exceeding, in the aggregate, one hundred and fifty thousand dollars, which shall bear on their

Town may issue bonds, etc.

Town of Raynham Water Loan, Act of 1931.

face the words, Town of Raynham Water Loan, Act of 1931. Each authorized issue shall constitute a separate loan, and such loans shall be payable in not more than thirty years from their dates. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall, except as provided herein, be subject to chapter forty-four of the General Laws.

Payment of loan, etc.

SECTION 8. Said town shall, at the time of authorizing said loan or loans, provide for the payment thereof in accordance with the provisions of section seven; and when a vote to that effect has been passed, a sum which, with the income derived from the water rates, will be sufficient to pay the annual expense of operating the water works or the purchasing of water and the maintenance of its pipe lines, as the case may be, and the interest as it accrues on the bonds or notes issued as aforesaid, and to make such payments on the principal as may be required under the provisions of this act, shall without further vote be assessed by the assessors of the town annually thereafter in the same manner as other taxes, until the debt incurred by the said loan or loans is extinguished.

Penalty for polluting water, etc.

SECTION 9. Whoever wilfully or wantonly corrupts, pollutes or diverts any of the waters taken or held under this act, or injures any structure, work or other property owned, held or used by said town under the authority and for the purposes of this act, shall forfeit and pay to said town three times the amount of damages assessed therefor, to be recovered in an action of tort; and upon conviction of any one of the above wilful or wanton acts shall be punished by a fine of not more than three hundred dollars or by imprisonment for not more than one year.

Board of water commissioners, election, terms, etc.

SECTION 10. The said town shall, after its acceptance of this act, at the same meeting at which the act is accepted or at a meeting thereafter called for the purpose, elect by ballot three persons to hold office, one until the expiration of three years, one until the expiration of two years, and one until the expiration of one year, from the next succeeding annual town meeting, to constitute a board of water commissioners; and at the annual town meeting held on the day on which the shortest of such terms expires, and at each annual town meeting thereafter, one such commissioner shall be elected by ballot for the term of three years. All the authority granted to the town by this act, except sections seven and eight, and except as otherwise specifically provided, shall be vested in said board of water commissioners, who shall be subject, however, to such instructions, rules and regulations as said town may impose by its vote. A majority of said commissioners shall constitute a quorum for the transaction of business. Any vacancy occurring in said board from any cause may be filled for the remainder of the unexpired term by said town at any annual town meeting called for the purpose. Any such vacancy may be filled temporarily in the manner provided by section eleven of chapter forty-one of the

Authority, etc.

Quorum.

Vacancy.

General Laws, and the person so appointed shall perform the duties of the office until the next annual meeting of said town or until another person is qualified.

Commissioners to fix water rates, etc.

Section 11. Said commissioners shall fix just and equitable prices and rates for the use of water, and shall prescribe the time and manner of payment. The income of the water works shall be appropriated to defray all operating expenses, interest charges and payments on the principal as they accrue upon any bonds or notes issued under authority of this act. If there should be a net surplus remaining after providing for the aforesaid charges it shall be appropriated for such new construction as the water commissioners, with the approval of the town, may determine upon, and in case a surplus should remain after payment for such new construction the water rates shall be reduced proportionately. All authority vested in said commissioners by the foregoing provisions of this section and by section three shall be subject to the provisions of section ten. Said commissioners shall annually, and as often as the town may require, render a report upon the condition of the works under their charge and an account of their doings, including an account of receipts and expenditures.

Income, how used.

Net surplus.

Annual, etc., report.

Submission to voters, etc.

Section 12. This act shall take effect upon its acceptance by a majority of the voters of the town of Raynham present and voting thereon at a town meeting called for the purpose within three years after its passage; provided that section six thereof shall in no event take effect until the expiration of ninety days after said passage. The number of meetings so called in any year shall not exceed three; and, for the purpose only of being submitted to the voters of said town as aforesaid, this act shall take effect upon its passage.

Proviso.

Approved April 21, 1931.

An Act authorizing the city of cambridge to pay a sum of money to the widow of allen macpherson. *Chap.* 233

Be it enacted, etc., as follows:

City of Cambridge may pay a sum of money to the widow of Allen MacPherson.

Section 1. For the purpose of discharging a moral obligation, the city of Cambridge may pay to Margaret MacPherson of Cambridge a sum not exceeding five thousand dollars, on account of the death of her husband, Allen MacPherson, who died in consequence of injuries received while aiding a police officer of said city in the discharge of his duty by the order of said officer. Said sum shall be paid in monthly payments, not exceeding five hundred dollars for the first payment and not exceeding seventy-five dollars for each succeeding payment, and if said Margaret MacPherson dies prior to full payment hereunder, such amounts as would have been payable to her hereunder had she lived shall be paid monthly in equal shares to such children of said Allen MacPherson and said Margaret MacPherson as then survive.

Submission to city council, etc.

SECTION 2. This act shall take effect upon its acceptance during the current year by vote of the city council of said city, subject to the provisions of its charter, but not otherwise.

Approved April 21, 1931.

Chap. 234 AN ACT RELATIVE TO THE FEES OF FENCE VIEWERS.

Be it enacted, etc., as follows:

G. L. 49, § 20, amended.

Section twenty of chapter forty-nine of the General Laws is hereby amended by striking out, in the first line, the word "two" and inserting in place thereof the word: — five, — and by inserting after the word "employed" in the second line the words: —, but his fee for services in any one case shall not be less than one dollar, — so as to read as follows: —

Fees of fence viewers.

Section 20. Each fence viewer shall be paid at the rate of five dollars a day for the time during which he is employed, but his fee for services in any one case shall not be less than one dollar. Such payment shall be made by all or by such of the parties in dispute, and in such proportions, as shall be determined by a certificate in writing under the hands of the fence viewers acting in each case. If any person required to pay the whole or any portion of said fees neglects to pay the fence viewers within thirty days after the certificate has been delivered, they may recover in tort double the amount of the fees due from such delinquent person.

Approved April 21, 1931.

Chap. 235 AN ACT RELATIVE TO EMERGENCY WATER SUPPLY.

Be it enacted, etc., as follows:

G. L. 40, § 40, etc., amended.

Chapter forty of the General Laws, as amended in section forty by chapter three hundred and eighteen of the acts of nineteen hundred and twenty-six, is hereby further amended by striking out said section and inserting in place thereof

Emergency water supply.

the following: — *Section 40.* The metropolitan district commission in cities or towns using the metropolitan water supply, the city council in other cities, the selectmen or water commissioners in other towns, water commissioners of water supply and fire and water districts, officers having control of county institutions having water works, and water companies supplying any communities in the commonwealth may, in cases of emergency, take by eminent domain under chapter seventy-nine the right to draw water from any stream, pond or reservoir or from ground sources of supply by means of driven, artesian or other wells not already appropriated to uses of a municipal or other public water supply, or may purchase water from any city, town or water company, or county institution having water works, for a period of not more than six months in any year in quantities necessary to relieve the emergency; but no such taking or purchase shall be made until after the department of public health has approved the water as a proper source of water supply and

Approval by department of public health.

unless and until, in the case of towns and water supply and fire and water districts, the selectmen or water commissioners have first been authorized so to take or purchase by a vote of the voters at a town meeting or a district meeting, as the case may be, or, in the case of water companies, said companies have first been so ordered in writing by said department. They may also take by eminent domain under said chapter seventy-nine the right to use any land for the time necessary to use such water; provided, that, in the case of such a taking by a water company, said department shall first prescribe the limits within which such rights shall be taken. The vote of a city council or of the voters of a town or of a water supply or water and fire district or the action of county officers as aforesaid or of the metropolitan district commission or the written order of said department of public health to a water company to make or authorize such taking or purchase as aforesaid shall be conclusive evidence of the existence of the emergency. Any city, town or water company or the officers having control of any county institution having water works may, for a period of not more than six months in any year, sell to the metropolitan district commission, to any city, town, water supply or fire and water district or water company or to any county institution having water works such quantities of water as may be available at the time and the approval of said department of public health shall be conclusive evidence that such quantities are safely available for sale. In such emergencies the said parties interested may agree to install for the purpose temporary pipes and other works in any city or town; provided, that the installation or repair of such pipes or other works in or along any highway shall be done with the least possible hindrance to public travel, and shall be subject to the direction and approval of the officers or departments having charge of the maintenance of said highways.

Authorization by vote, etc.

Orders to water companies.

Taking of certain rights.

Proviso.

Evidence of existence of emergency.

Sale of water to metropolitan district commission, to any city, town, etc.

Evidence that water is available, etc.

Installation of temporary pipes, etc.

Proviso.

Approved April 21, 1931.

An Act providing for continuing and accelerating the development of the state prison colony, and authorizing the issue of notes therefor. *Chap.* 236

Whereas, The deferred operation of this act would defeat its purpose, therefore it is declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Emergency preamble.

Be it enacted, etc., as follows:

Section 1. The commissioner of correction is hereby authorized and directed to proceed with the further development of the state prison colony by the construction of buildings, purchase of land, grading, and other necessary expenditures, to a total expenditure not exceeding one million five hundred thousand dollars, the same to be expended in addition to any amount heretofore appropriated for the

Commissioner of correction to proceed with further development of state prison colony, etc.

Expenditure.

purpose from ordinary revenue, and subject to the provisions of law regulating the disbursement of public funds and the approval thereof.

State treasurer to borrow money, issue notes, etc.

SECTION 2. For the purposes of this act, the state treasurer, upon the request of the commissioner of correction, shall borrow on the credit of the commonwealth such sums, not exceeding, in the aggregate, one million five hundred thousand dollars, as may from time to time be required, and may issue notes of the commonwealth, carrying such rates of interest as the state treasurer may fix, with the approval of the governor and council. Such notes shall be payable not earlier than one year after the effective date of this act nor later than November thirtieth, nineteen hundred and thirty-six, and their maturities shall be so arranged that the payments of principal on account of such notes in each of the five fiscal years ending November thirtieth, nineteen hundred and thirty-six will be equal, as nearly as may be. Such notes shall be signed by the state treasurer, approved by the governor and countersigned by the comptroller. All sums necessary to meet payments of principal and interest on account of said notes shall be paid from the general fund or ordinary revenue of the commonwealth.

Notes, when payable.

No payment to be made, etc., until approval of plans, etc.

SECTION 3. No payment shall be made or obligation incurred under authority of this act for construction of public buildings or other improvements until plans and specifications have been approved by the governor, unless otherwise provided by such rules and regulations as the governor may make.

SECTION 4. This act shall take effect upon its passage.

Approved April 23, 1931.

Chap. 237 AN ACT RELATIVE TO THE NOTICE OF INTENTION OF MARRIAGE.

Be it enacted, etc., as follows:

G. L. 207, § 20, amended.

Chapter two hundred and seven of the General Laws is hereby amended by striking out section twenty and inserting in place thereof the following: — *Section 20.*

Notice of intention of marriage to be in writing under oath.

The clerk or registrar shall require written notice of intention of marriage, on blanks furnished by him, containing such information as is required by law and also a statement of absence of any legal impediment to the marriage, to be given him under oath, by both of the parties to such intended marriage if both dwell in his town, or, if the parties dwell in different towns within the state, or if one dwells outside the state, by the party dwelling in his town, or, if both dwell outside the state, by both such parties; provided, that if a registered physician makes affidavit to the satisfaction of the clerk or registrar that a party so required is unable, by reason of illness, to appear, such notice may be given on behalf of such party, by his or her parent or legal guardian, or, in case there is no parent or legal guardian competent to act, by the physician certifying to the illness, or by the other

Proviso.

party irrespective of such other party's residence. The oath to such notice shall be to the truth of all the statements contained therein whereof the party subscribing the same could have knowledge, and may be given before the clerk or registrar or before a regularly employed clerk in his office designated by him in writing and made a matter of record in the office. No fee shall be charged for administering such oath. In towns having an assistant clerk or registrar, he may administer the oath. *Approved April 24, 1931.*

No fee for administering oath.

AN ACT CHANGING THE DATE OF THE BIENNIAL MUNICIPAL ELECTION IN THE CITY OF CHELSEA. *Chap.* 238

Be it enacted, etc., as follows:

SECTION 1. Chapter three hundred and seventy-five of the acts of nineteen hundred and twenty-eight is hereby amended by striking out section one and inserting in place thereof the following: — *Section 1.* Municipal elections in the city of Chelsea shall take place biennially on the Tuesday following the second Monday in November beginning with the year nineteen hundred and thirty-three.

1928, 375, § 1, amended.

Biennial municipal elections in city of Chelsea.

SECTION 2. This act shall be submitted for acceptance to the registered voters of the city of Chelsea at its biennial city election in the current year in the form of the following question which shall be placed upon the official ballot to be used at said election: — "Shall an act passed by the general court in the current year, entitled 'An Act changing the Date of the Biennial Municipal Election in the City of Chelsea', be accepted?" If a majority of the votes cast on said question are in the affirmative, this act shall thereupon take effect, but not otherwise.

Approved April 24, 1931.

Submission to voters, etc.

AN ACT TO ELIMINATE DUPLICATION IN THE LAW RELATIVE TO NON-SUPPORT. *Chap.* 239

Be it enacted, etc., as follows:

Section fifty-three of chapter two hundred and seventy-two of the General Laws is hereby amended by striking out, in the eighth and ninth lines, the words "or for the support of their families", — and by striking out, in the fifteenth to eighteenth lines, inclusive, the words "or workhouse in the town where the offender is convicted, or in the workhouse, if any, in the town where the offender has a legal settlement, if such town is in the county where the conviction was obtained", — so as to read as follows: — *Section 53.* Rogues and vagabonds, persons who use any juggling or unlawful games or plays, common pipers and fiddlers, stubborn children, runaways, common drunkards, common nightwalkers, both male and female, persons who with offensive or disorderly act or language accost or annoy in public places

G. L. 272, § 53, amended.

Rogues, vagabonds, etc.

persons of the opposite sex, pilferers, lewd, wanton and lascivious persons in speech or behavior, common railers and brawlers, persons who neglect their calling or employment or who misspend what they earn and do not provide for themselves, and all other idle and disorderly persons including therein those persons who neglect all lawful business and habitually misspend their time by frequenting houses of ill fame, gaming houses or tippling shops, may be punished by imprisonment in the Massachusetts reformatory or at the state farm in the case of a male offender, or in the reformatory for women or at the state farm in the case of a female offender, or, for not more than six months, in the house of correction, or by a fine not exceeding two hundred dollars, either with or without a condition that, if it is not paid within a time specified, the person convicted shall be punished by imprisonment under this section; and such conditional sentence shall be executed according to section ten of chapter two hundred and seventy-nine.

Penalty.

Approved April 24, 1931.

Chap. 240 AN ACT AUTHORIZING THE MANUFACTURE AND DISTRIBUTION OF CERTAIN GASES ON THE LORD'S DAY.

Be it enacted, etc., as follows:

G. L. 136, § 6, etc., amended.

Chapter one hundred and thirty-six of the General Laws, as most recently amended in section six by chapter one hundred and seventy-nine of the acts of nineteen hundred and thirty, is hereby further amended by striking out said section and inserting in place thereof the following: — *Section 6.* The preceding section shall not prohibit the manufacture and distribution of steam, gas or electricity for illuminating purposes, heat or motive power; the distribution of water for fire or domestic purposes; the use of the telegraph or the telephone; the manufacture and distribution of oxygen, hydrogen, nitrogen, acetylene and carbon dioxide; the retail sale of drugs and medicines, or articles ordered by the prescription of a physician, or mechanical appliances used by physicians or surgeons.

Certain business not prohibited on Lord's day.

Same subject.

Nor shall it prohibit the retail sale of tobacco in any of its forms by licensed innholders, common victuallers, druggists and newsdealers whose stores are open for the sale of newspapers every day in the week; the retail sale of bread, before ten o'clock in the forenoon and between the hours of four o'clock and half past six o'clock in the afternoon by licensed innholders and by licensed common victuallers authorized to keep open their places of business on the Lord's day and by persons licensed under the following section to keep open their places of business as aforesaid; the retail sale of ice cream, soda water and confectionery by licensed innholders and druggists, and by such licensed common victuallers as are not also licensed to sell certain non-intoxicating beverages, as defined in section one of chapter one hundred and thirty-eight, and who are authorized to keep open their

places of business on the Lord's day; the sale of ice cream, soda water, confectionery or fruit by persons licensed under the following section or the keeping open of their places of business for the sale thereof.

Same subject.

Nor shall it prohibit work lawfully done by persons working under permits granted under section nine; the sale by licensed innholders and common victuallers of meals such as are usually served by them, consisting in no part of intoxicating liquors, which meals are cooked on the premises but are not to be consumed thereon; the operation of motor vehicles; the sale of gasoline and oil for use, and the retail sale of accessories for immediate necessary use, in connection with the operation of motor vehicles, motor boats and aircraft; the letting of horses and carriages or of boats; unpaid work on pleasure boats; the running of steam ferry boats on established routes; the running of street railway cars; the running of steamboat lines and trains or of steamboats, if authorized under section nineteen.

Same subject.

Nor shall it prohibit the preparation, printing and publication of newspapers, or the sale and delivery thereof; the wholesale or retail sale and delivery of milk, or the transportation thereof, or the delivery of ice cream; the making of butter and cheese; the keeping open of public bath houses; the making or selling by bakers or their employees, before ten o'clock in the forenoon and between the hours of four o'clock and half past six o'clock in the afternoon, of bread or other food usually dealt in by them; whenever Rosh Hashonah, or the Day of Atonement, begins on the Lord's day, the retail sale and delivery of fish, fruit and vegetables before twelve o'clock noon of that day; the selling of kosher meat by any person who, according to his religious belief, observes Saturday as the Lord's day by closing his place of business during the day until six o'clock in the afternoon or the keeping open of his shop on the Lord's day for the sale of kosher meat between the hours of six o'clock and ten o'clock in the forenoon.

Same subject.

Nor shall it prohibit the performing of secular business and labor on the Lord's day by any person who conscientiously believes that the seventh day of the week ought to be observed as the Sabbath and actually refrains from secular business and labor on that day, if he disturbs no other person thereby; the carrying on of the business of bootblack before eleven o'clock in the forenoon, unless prohibited in a city or town by ordinance or by-law; the digging of clams; the icing and dressing of fish; the cultivation of land, and the raising, harvesting, conserving and transporting of agricultural products during the existence of war between the United States and any other nation and until the first day of January following the termination thereof; such unpaid work in or about private gardens or private grounds, adjacent to a dwelling house, as shall not cause unreasonable noise, having regard to the locality where such work is performed.

Same subject.

Nor shall it prohibit the sale of catalogues of pictures and other works of art in exhibitions held by societies organized for the purpose of promoting education in the fine arts or the exposure of photographic plates and films for pleasure, if the pictures to be made therefrom are not intended to be sold and are not sold. *Approved April 24, 1931.*

Chap. 241 AN ACT AUTHORIZING THE CITY OF PEABODY TO ESTABLISH AND MAINTAIN A PUBLIC HOSPITAL.

Be it enacted, etc., as follows:

City of Peabody may establish and maintain a public hospital.

SECTION 1. The city of Peabody may establish and maintain a public hospital.

City may borrow money, issue bonds, etc.

SECTION 2. For the purpose aforesaid and to erect and equip new buildings and renovate, repair and equip present buildings of the Josiah B. Thomas hospital in said city, established by the inhabitants of the town of Peabody from funds bequeathed to them under the will of the late Josiah B. Thomas, the city may borrow from time to time, within a period of three years from the passage of this act, such sums of money as may be necessary, not exceeding in the aggregate one hundred thousand dollars, and may issue bonds or notes therefor, which shall bear upon their face the words Josiah B. Thomas Hospital Loan, 1931. Each authorized issue shall constitute a separate loan, and such loans shall be paid in not more than fifteen years from their dates. Indebtedness incurred under this act shall be inside the statutory limit and shall, except as herein provided, be subject to the provisions of chapter forty-four of the General Laws.

Josiah B. Thomas Hospital Loan, 1931.

Present board of trustees of Josiah B. Thomas hospital to continue in office, etc.

SECTION 3. The present board of trustees of said hospital shall continue in office for the terms for which they have been elected and shall have the entire management and control of the said hospital and of the staff, personnel and employees thereof. As vacancies occur in said board, trustees to fill the same shall be elected to serve for terms of five years, or, in case of unfinished terms, for the remainder of such terms, by the five members of the city council elected at large, or by their successors in any other form of city government hereafter to be adopted, and by the remaining trustees, sitting in joint convention.

Vacancies, etc.

G. L. 41, § 45, not applicable to funds left to Josiah B. Thomas hospital, etc.

SECTION 4. Section forty-five of chapter forty-one of the General Laws shall not apply to funds heretofore left, by bequests or otherwise, to the Josiah B. Thomas hospital, nor to funds hereafter left to the said hospital, or the trustees thereof, or to the city of Peabody when left expressly for hospital purposes, but the city treasurer shall be the custodian of all such funds unless the terms of the gift or bequest otherwise provide, and shall invest and reinvest them, and expend moneys therefrom as directed by the board of trustees of the hospital. The city treasurer shall furnish a bond satisfactory to said trustees for the faithful performance of his duties.

City treasurer to be custodian of funds, etc.

Bond.

Section 5. This act shall take effect upon its acceptance by vote of the city council of the city of Peabody. For the purpose of such acceptance only, it shall take effect upon its passage. *Approved April 24, 1931.*

Submission to city council, etc.

An Act authorizing certain domestic mutual insurance companies to create a guaranty fund from their net cash assets, in lieu of establishing a guaranty capital.

Chap. 242

Be it enacted, etc., as follows:

Section 1. Chapter one hundred and seventy-five of the General Laws is hereby amended by inserting after section ninety B, inserted by section seven of chapter two hundred and sixty-seven of the acts of nineteen hundred and twenty-five, the following new section: — *Section 90C.* Any mutual company empowered by subdivision (*e*) of section fifty-four to transact the kinds of business set forth in the fourth clause of section forty-seven, which has not established a guaranty capital under section ninety B as required by said subdivision (*e*) and which has net cash assets, computed on the basis fixed by sections ten to twelve, inclusive, of not less than two million dollars may, in lieu of establishing a guaranty capital as aforesaid, if previously authorized by a vote of its policy holders at any meeting and with the written approval of the commissioner, segregate a portion of its net cash assets to an amount of not less than two hundred thousand nor more than five hundred thousand dollars and constitute said amount a guaranty fund.

G. L. 175, new section after § 90B.

Certain domestic mutual insurance companies may create a guaranty fund from their net cash assets, in lieu of establishing a guaranty capital.

Any such fund shall be maintained so long as the company transacts business under said clause fourth, shall be invested as provided by this chapter for the investment of the capital stock of domestic stock companies, and shall not be reduced or dissolved except with the written approval of the commissioner.

How fund shall be invested.

Not to be reduced or dissolved, except, etc.

The said fund shall be applied solely to the payment of claims under policies or contracts issued or executed under said clause fourth, but only in case the company has exhausted its assets, exclusive of uncollected premiums.

To be applied solely to payment of claims, etc.

No company with such a guaranty fund which ceases to transact business shall divide among its policy holders any of its assets or guaranty fund, until it shall have performed or cancelled all obligations under its policies and contracts.

No division among policy holders of any assets or guaranty fund, until, etc.

Any company whose guaranty fund aforesaid is less than five hundred thousand dollars may, subject to the provisions of this section, from time to time increase it to an amount not exceeding said sum; provided, that no such increase shall be made unless the net cash assets of the company, computed as aforesaid, inclusive of the amount of such fund, amount to at least two million dollars at the time the increase is made.

Increase of guaranty fund.

Proviso.

Section 2. Section one of said chapter one hundred and seventy-five, as amended by section one of chapter one

G. L. 175, § 1, etc., amended.

hundred and sixty-five of the acts of nineteen hundred and twenty-one, is hereby further amended by adding at the end of the eleventh paragraph the words: —, guaranty capital or guaranty fund, if any, — so that said paragraph will read as follows: — "Net assets", the funds of a company available for the payment of its obligations in the commonwealth, including, in the case of a mutual fire company, its deposit notes or other contingent funds, and, in the case of a mutual marine company its subscription fund and premium notes absolutely due, and also including uncollected and deferred premiums not more than three months due, or in the case of business originating outside the North American continent, Hawaii, Porto Rico, Cuba and the West Indies not more than six months due, on policies actually in force, after deducting from such funds all unpaid losses and claims, and claims for losses, and all other debts and liabilities inclusive of net value of policies and exclusive of capital, guaranty capital or guaranty fund, if any.

Definition, "Net assets".

G. L. 175, § 11, etc., amended.

Section 3. Section eleven of said chapter one hundred and seventy-five, as amended by section four of chapter two hundred and eighty-four of the acts of nineteen hundred and twenty-seven, is hereby further amended by striking out, in the seventh line, the words ", such guaranty capital" and inserting in place thereof the words: — or guaranty fund, such guaranty capital or guaranty fund, — so that the first paragraph will read as follows: — Beside the reserve provided for in the two preceding sections he shall, except as provided in the following section, charge to each company as a liability all unpaid losses and claims for losses, and all other debts and liabilities, including in the case of a stock company its capital stock and including, in the case of a mutual company with a guaranty capital or guaranty fund, such guaranty capital or guaranty fund. He shall allow to the credit of a company in the account of its financial condition only such assets as are available for the payment of losses in this commonwealth, including all assets deposited with officers of other states or countries for the security of the policy holders of such company; but no holding or parcel of real estate shall be given a higher value than would be adequate to yield at three per cent annual interest the average amount of its net rental for three years next preceding, except that if a company shows to his satisfaction that the actual value of any of its real estate is greater than the value so ascertained, then the actual value of the said real estate as determined by the commissioner shall be allowed.

Computation of assets and liabilities of insurance companies.

G. L. 175, § 23A, etc., amended.

Section 4. Section twenty-three A of said chapter one hundred and seventy-five, inserted by section two of chapter one hundred and fifty-four of the acts of nineteen hundred and twenty-five, and as most recently amended by section one of chapter one hundred and sixty-nine of the acts of nineteen hundred and twenty-eight, is hereby further amended by inserting after the word "capital" in the third

line the words: — or guaranty fund, — and by inserting after the word "capital" the second time it occurs in the sixth line the words: — or guaranty fund, — so that the first paragraph will read as follows: — Every stock company, every foreign company described in section one hundred and fifty-five and every mutual company having a guaranty capital or guaranty fund, other than a life company, shall forthwith notify the commissioner in writing in such form and detail as he may require of any impairment of its capital stock or deposit or guaranty capital or guaranty fund, respectively, on the basis fixed by sections ten to twelve, inclusive. Every company whose license or authority to transact business in any other state or country is suspended or revoked or otherwise terminated, every foreign company against which receivership or liquidation proceedings are instituted in the state or country under whose laws it is organized, every foreign mutual company, other than life, whose net cash assets or contingent assets become less than the amount required of said company by section one hundred and fifty-one, every domestic mutual company whose amount of insurance or premiums in force or number of risks on its books become less than the amount or number required of said company by section seventy-four, ninety A, ninety-two, ninety-three, ninety-three A or ninety-three B, every mutual company which levies an assessment on its members, and every life company whose actual funds, exclusive of its capital, if any, are not of a net cash value equal to its liabilities, including the net value of its policies, computed by the rules of valuation established by sections nine to twelve, inclusive, shall forthwith notify the commissioner in writing as aforesaid to that effect.

Certain insurance companies to notify commissioner of insurance of impairment of capital stock or deposit or guaranty capital or guaranty fund, suspension, etc., of license, institution of receivership proceedings, reduction of assets below required amount, insufficiency of funds, etc.

Section 5. Section fifty-four of said chapter one hundred and seventy-five, as most recently amended in subdivision (*e*) by section eight of chapter two hundred and eighty-four of the acts of nineteen hundred and twenty-seven, is hereby further amended by inserting after the words "ninety B" in the thirteenth line, the words: — or a guaranty fund as provided in section ninety C, — and by inserting after the word "capital" in the fourteenth line, the words: — or fund, — so that said subdivision (*e*) will read as follows: — (*e*) Any one or more of the fourth, fifth, sixth, seventh, eighth, ninth, tenth, twelfth and thirteenth clauses, if authorized to transact business under any one of said clauses, provided that before transacting business under any such additional clause, other than the fourth, it shall have net cash assets over all its liabilities, computed on the basis fixed by sections ten to twelve, inclusive, of not less than one hundred thousand dollars for each additional clause, which net cash assets shall be maintained as long as it transacts business under such additional clause; and provided further, that before transacting business under the fourth clause, it shall have a fully paid-up guaranty capital as provided in section ninety B or a guaranty fund as provided in section ninety C, and net cash

G. L. 175, § 54, etc., amended.

Kinds of business which may be combined by certain mutual insurance companies.

Provisos.

assets, so computed, exclusive of said capital or fund, of not less than one hundred thousand dollars. Any mutual company transacting business under this clause may accumulate and maintain the net cash assets required hereunder in addition to the amount permitted by section eighty. The provision of section twenty-one that a mutual boiler company may insure in a single risk an amount not exceeding one fourth of its net assets shall not apply to any mutual company transacting business under this clause.

G. L. 175, § 93D, etc., amended.

SECTION 6. Section ninety-three D of said chapter one hundred and seventy-five, inserted by section ten of chapter two hundred and sixty-seven of the acts of nineteen hundred and twenty-five, and as most recently amended by section twelve of chapter two hundred and eighty-four of the acts of nineteen hundred and twenty-seven, is hereby further amended by inserting after the words "ninety B" in the twelfth line, the words: — or whose guaranty fund established under section ninety C, — by inserting after the word "capital", in the eighteenth line, the words: — or guaranty fund, — and by inserting after the words "ninety B" in the nineteenth line, the words: — or ninety C, — so as to read as follows: — *Section 93D.* No domestic mutual company transacting business under clause three, five, six, seven, eight, nine, ten, twelve or thirteen of section forty-seven, or under clause (*b*), (*c*) or (*d*) of section forty-eight A, whose amount of insurance in force or premiums or number of risks on its books become at any time from any cause less than the amounts or number required by section ninety A, ninety-two, ninety-three, ninety-three A or ninety-three B, and no mutual company transacting business under the fourth clause of said section forty-seven whose guaranty capital required by section ninety B or whose guaranty fund established under section ninety C is impaired on the basis fixed by sections ten to twelve, inclusive, shall make any further insurance until it has secured applications for policies which shall restore the amount of insurance or premiums or number of risks to the amounts and number required by said section ninety A, ninety-two, ninety-three, ninety-three A and ninety-three B, nor until such guaranty capital or guaranty fund is restored to the amount required by said section ninety B or ninety C, nor until such company in any case has obtained a certificate as provided in section seventy-four.

Certain domestic mutual companies not to make any further insurance until, etc.

Provisions of 1925, 267, § 16, not affected.

SECTION 7. Nothing in this act shall affect the provisions of section sixteen of chapter two hundred and sixty-seven of the acts of nineteen hundred and twenty-five.

Approved April 24, 1931.

An Act relative to the conveyance of certain rights and interests of the commonwealth in Benson's pond, so called, in the town of Middleborough. *Chap.* 243

Be it enacted, etc., as follows:

Department of public works may convey certain rights and interests of commonwealth in Benson's Pond in town of Middleborough.

Subject to the written approval of the governor and council, and to such terms, conditions, restrictions and reservations as the department of public works may, with such approval, impose, the said department may convey, in the name and on behalf of the commonwealth, all the right, title and interest which the commonwealth has the power to convey in and to Benson's Pond, so called, including the waters and the land under the same, situated in the southerly part of the town of Middleborough and containing approximately twenty-five acres. Said conveyance shall be subject to any private rights in the property conveyed and shall be in a form approved by the attorney general.

Approved April 24, 1931.

An Act establishing the fees for the registration of gliders and for pilots' licenses limited to the operation of gliders. *Chap.* 244

Be it enacted, etc., as follows:

G. L. 90, § 40, amended.

Section 1. Section forty of chapter ninety of the General Laws, inserted by section one of chapter five hundred and thirty-four of the acts of nineteen hundred and twenty-two, is hereby amended by inserting after the word "dollars" in the sixth line the words: —, except that the fee for a license limited to the operation of gliders shall be three dollars, and for a renewal thereof, two dollars, — and by inserting after the word "license" in said sixth line the words: —, except a license limited to the operation of gliders, — so as to read as follows: — *Section 40.* A pilot's license shall expire one year from the date of its issue. Applications for renewal may be made before the date of expiration in such manner as the registrar directs.

Pilot's license, expiration.

Application for renewal.

Fees.

The fee for a license or for a renewal thereof shall be five dollars, except that the fee for a license limited to the operation of gliders shall be three dollars, and for a renewal thereof, two dollars. Each initial application for a license, except a license limited to the operation of gliders, shall also be accompanied by a fee of five dollars for examination. If the applicant is not licensed the license fee, but not the examination fee, shall be refunded.

G. L. 90, § 46, amended.

Section 2. Section forty-six of said chapter ninety, as so inserted, is hereby amended by inserting after the word "dollars" in the sixth line the words: —, except that the fee for the registration of a glider, or for the renewal thereof, shall be three dollars, — so as to read as follows: — *Section 46.* All registrations shall expire upon the last day of each calendar year unless previously revoked by the registrar.

Expiration of registrations and applications for renewals.

Fees.

Applications for renewal may be made before the date of expiration in such manner as the registrar directs. The fee for each registration or renewal shall be fifteen dollars, except that the fee for the registration of a glider, or for the renewal thereof, shall be three dollars.

Approved April 24, 1931.

Chap. 245 AN ACT MAKING APPROPRIATIONS FOR THE MAINTENANCE OF DEPARTMENTS, BOARDS, COMMISSIONS, INSTITUTIONS AND CERTAIN ACTIVITIES OF THE COMMONWEALTH, FOR INTEREST, SINKING FUND AND SERIAL BOND REQUIREMENTS, AND FOR CERTAIN PERMANENT IMPROVEMENTS.

Be it enacted, etc., as follows:

Appropriations for maintenance of departments, etc., for interest, sinking fund and bond requirements, and for certain improvements.

SECTION 1. To provide for the maintenance of the several departments, boards, commissions and institutions, of sundry other services, and for certain permanent improvements, and to meet certain requirements of law, the sums set forth in section two, for the several purposes and subject to the conditions therein specified, are hereby appropriated from the general fund or revenue of the commonwealth unless some other source of revenue is expressed, subject to the provisions of law regulating the disbursement of public funds and the approval thereof, for the fiscal year ending November thirtieth, nineteen hundred and thirty-one, or for such other period as may be specified.

SECTION 2.

Service of the Legislative Department.

Legislative Department.

Item		
1	For the compensation of senators, the sum of eighty-two thousand dollars	$82,000 00
2	For the compensation for travel of senators, a sum not exceeding fifty-nine hundred dollars	5,900 00
3	For the compensation of representatives, the sum of four hundred eighty-two thousand dollars	482,000 00
4	For the compensation for travel of representatives, a sum not exceeding thirty-six thousand six hundred dollars	36,600 00
5	For the salaries of William H. Sanger, clerk of the senate, and Frank E. Bridgman, clerk of the house of representatives, the sum of ten thousand dollars	10,000 00
6	For the salaries of Irving N. Hayden, assistant clerk of the senate, and Lawrence R. Grove, assistant clerk of the house of representatives, the sum of seven thousand dollars	7,000 00
7	For such additional clerical assistance to, and with the approval of, the clerk of the house of representatives, as may be necessary for the proper despatch of public business, a sum not exceeding four thousand dollars	4,000 00
8	For such additional clerical assistance to, and with the approval of, the clerk of the senate, as may be necessary for the proper despatch of public business, a sum not exceeding fifteen hundred dollars	1,500 00

Item			
9	For the salary of the sergeant-at-arms, a sum not exceeding four thousand dollars . . .	$4,000 00	Legislative Department.
10	For clerical assistance, office of the sergeant-at-arms, a sum not exceeding fifty-two hundred and sixty dollars	5,260 00	
11	For the compensation for travel of doorkeepers, assistant doorkeepers, general court officers, pages and other employees of the sergeant-at-arms, authorized by law to receive the same, a sum not exceeding sixty-one hundred and fifty-five dollars	6,155 00	
12	For the salaries of the doorkeepers of the senate and house of representatives, and the postmaster, with the approval of the sergeant-at-arms, a sum not exceeding eight thousand dollars . .	8,000 00	
13	For the salaries of assistant doorkeepers to the senate and house of representatives and of general court officers, with the approval of the sergeant-at-arms, a sum not exceeding fifty thousand six hundred dollars	50,600 00	
14	For compensation of the pages of the senate and house of representatives, with the approval of the sergeant-at-arms, a sum not exceeding ninety-one hundred dollars	9,100 00	
15	For the salaries of clerks employed in the legislative document room, a sum not exceeding fifty-seven hundred dollars	5,700 00	
16	For certain other persons employed by the sergeant-at-arms, in and about the chambers and rooms of the legislative department, a sum not exceeding thirty-one hundred and fifty dollars . . .	3,150 00	
17	For the salaries of the chaplains of the senate and house of representatives, the sum of fifteen hundred dollars	1,500 00	
18	For personal services of the counsel to the senate and assistants, a sum not exceeding fifteen thousand eight hundred dollars	15,800 00	
19	For personal services of the counsel to the house of representatives and assistants, a sum not exceeding fifteen thousand nine hundred and fifty dollars	15,950 00	
20	For clerical and other assistance of the senate committee on rules, a sum not exceeding four thousand dollars	4,000 00	
21	For clerical and other assistance of the house committee on rules, a sum not exceeding four thousand dollars	4,000 00	
22	For authorized traveling and other expenses of the committees of the present general court, with the approval of a majority of the committee incurring the same, a sum not exceeding eight thousand dollars	8,000 00	
23	For expenses of advertising hearings of the committees of the present general court, including expenses of preparing and mailing advertisements to the various newspapers, with the approval of the comptroller of the commonwealth, a sum not exceeding one hundred dollars	100 00	
24	For printing, binding and paper ordered by the senate and house of representatives, or by concurrent order of the two branches, with the approval of the clerks of the respective branches, a sum not exceeding sixty thousand dollars . .	60,000 00	
25	For printing the manual of the general court, with the approval of the clerks of the two branches, a sum not exceeding fifty-three hundred dollars .	5,300 00	

	Item		
Legislative Department.	26	For expenses in connection with the publication of the bulletin of committee hearings and of the daily list, and for the expense of printing a cumulative index to the acts and resolves of the current year, with the approval of the joint committee on rules, a sum not exceeding eighteen thousand five hundred dollars	$18,500 00
	27	For stationery for the senate, purchased by and with the approval of the clerk, a sum not exceeding seven hundred dollars	700 00
	28	For office and other expenses of the committee on rules on the part of the senate, a sum not exceeding seven hundred and fifty dollars . .	750 00
	29	For office expenses of the counsel to the senate, a sum not exceeding two hundred dollars . .	200 00
	30	For stationery for the house of representatives, purchased by and with the approval of the clerk, a sum not exceeding nine hundred dollars . .	900 00
	30a	For office and other expenses of the committee on rules on the part of the house, a sum not exceeding two hundred dollars	200 00
	31	For office expenses of the counsel to the house of representatives, a sum not exceeding two hundred dollars	200 00
	32	For contingent expenses of the senate and house of representatives, and necessary expenses in and about the state house, with the approval of the sergeant-at-arms, a sum not exceeding sixteen thousand dollars	16,000 00
	33	For the purchase of outline sketches of members of the senate and house of representatives, a sum not exceeding sixteen hundred dollars . . .	1,600 00
	34	For reprinting the latest edition of the state house guide book, a sum not exceeding five hundred and fifty dollars	550 00
	35	For the payment of witness fees to persons summoned to appear before committees of the general court, and for expenses incidental to summoning them, with the approval of the sergeant-at-arms, a sum not exceeding two hundred dollars	200 00
	36	For expenses of the revision and rearrangement of the general statutes of the commonwealth, as authorized by chapter fifty-eight of the resolves of nineteen hundred and thirty, a sum not exceeding twenty-four thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose	24,000 00
		Total	$899,415 00

Service of the Judicial Department.

Judicial Department.

Supreme Judicial Court, as follows:

Supreme Judicial Court.	37	For the salaries of the chief justice and of the six associate justices, a sum not exceeding ninety-nine thousand dollars	$99,000 00
	38	For traveling allowance and expenses, a sum not exceeding forty-five hundred dollars . . .	4,500 00
	39	For the salary of the clerk for the commonwealth, a sum not exceeding sixty-five hundred dollars	6,500 00
	40	For clerical assistance to the clerk, a sum not exceeding two thousand dollars . . .	2,000 00
	41	For law clerks, stenographers and other clerical assistance for the justices, a sum not exceeding twenty-four thousand dollars	24,000 00

Item			
42	For office supplies, services and equipment of the supreme judicial court, a sum not exceeding forty-five hundred dollars	$4,500 00	Judicial Department. Supreme Judicial Court.
43	For the salaries of the officers and messengers, a sum not exceeding three thousand and forty dollars	3,040 00	
44	For the commonwealth's part of the salary of the clerk for the county of Suffolk, a sum not exceeding fifteen hundred dollars	1,500 00	
	Reporter of Decisions:		
45	For the salary of the reporter of decisions, a sum not exceeding six thousand dollars	6,000 00	Reporter of Decisions.
46	For clerk hire and office supplies, services and equipment, a sum not exceeding twelve thousand nine hundred dollars	12,900 00	
	Pensions:		
47	For the pensions of retired court officers, a sum not exceeding two hundred dollars	200 00	Pensions.
	Total	$164,140 00	
	Superior Court, as follows:		
48	For the salaries of the chief justice and of the thirty-one associate justices, a sum not exceeding three hundred eighty-five thousand dollars	$385,000 00	Superior Court.
49	For traveling allowance and expenses, a sum not exceeding nineteen thousand five hundred dollars	19,500 00	
50	For the salary of the assistant clerk, Suffolk county, a sum not exceeding one thousand dollars	1,000 00	
51	For clerical work, inspection of records and doings of persons authorized to admit to bail, for an executive clerk to the chief justice, and for certain other expenses incident to the work of the court, a sum not exceeding fourteen thousand dollars	14,000 00	
52	For pensions of retired justices, a sum not exceeding twenty-eight thousand dollars	28,000 00	
	Total	$447,500 00	
	Justices of District Courts:		
53	For compensation of justices of district courts while sitting in the superior court, a sum not exceeding twenty-two thousand five hundred dollars	$22,500 00	Justices of District Courts sitting in Superior Court.
54	For expenses of justices of district courts while sitting in the superior court, a sum not exceeding thirty-four hundred and fifty dollars	3,450 00	
55	For reimbursing certain counties for compensation of certain special justices for services in holding sessions of district courts in place of the justice, while sitting in the superior court, a sum not exceeding six thousand dollars	6,000 00	
	Total	$31,950 00	
	Judicial Council:		
56	For expenses of the judicial council, as authorized by section thirty-four C of chapter two hundred and twenty-one of the General Laws, inserted by chapter two hundred and forty-four of the acts of nineteen hundred and twenty-four, as amended, a sum not exceeding three thousand dollars	$3,000 00	Judicial Council.

	Item		
Judicial Council.	57	For compensation of the secretary of the judicial council, as authorized by section thirty-four C of chapter two hundred and twenty-one of the General Laws, inserted by chapter two hundred and forty-four of the acts of nineteen hundred and twenty-four, as amended, a sum not exceeding thirty-five hundred dollars	$3,500 00
		Total	$6,500 00
		Administrative Committee of District Courts:	
Administrative Committee of District Courts.	58	For compensation and expenses of the administrative committee of district courts, a sum not exceeding three thousand dollars	$3,000 00
		Probate and Insolvency Courts, as follows:	
Probate and Insolvency Courts.	59	For the salaries of judges of probate of the several counties, a sum not exceeding one hundred eleven thousand five hundred dollars	$111,500 00
	60	For pensions of retired judges, a sum not exceeding ten thousand five hundred dollars . . .	10,500 00
	61	For the compensation of judges of probate when acting outside their own counties for other judges of probate, a sum not exceeding eighty-five hundred dollars	8,500 00
	62	For expenses of judges of probate when acting outside their own counties for other judges of probate, as authorized by section forty of chapter two hundred and seventeen of the General Laws, as amended by chapter three hundred and eighty-four of the acts of nineteen hundred and twenty-three and by chapter three hundred and seventy-six of the acts of nineteen hundred and twenty-four, a sum not exceeding three hundred dollars	300 00
	63	For the salaries of registers of the several counties, a sum not exceeding sixty-one thousand four hundred sixty-two dollars and fifty cents . .	61,462 50
	64	For the salaries of assistant registers, a sum not exceeding seventy-two thousand two hundred eighty-seven dollars and fifty cents . . .	72,287 50
		Total	$264,550 00
		For clerical assistance to Registers of the several counties, as follows:	
Clerical assistance to Registers of Probate and Insolvency.	65	Barnstable, a sum not exceeding twenty-six hundred dollars	$2,600 00
	66	Berkshire, a sum not exceeding forty-nine hundred and twenty dollars	4,920 00
	67	Bristol, a sum not exceeding thirteen thousand two hundred dollars	13,200 00
	68	Dukes county, a sum not exceeding nine hundred and sixty dollars	960 00
	69	Essex, a sum not exceeding sixteen thousand one hundred dollars	16,100 00
	70	Franklin, a sum not exceeding twelve hundred dollars	1,200 00
	71	Hampden, a sum not exceeding ninety-seven hundred and fifty dollars	9,750 00
	72	Hampshire, a sum not exceeding sixteen hundred and fifty dollars	1,650 00
	73	Middlesex, a sum not exceeding forty-seven thousand four hundred dollars	47,400 00
	74	Norfolk, a sum not exceeding eleven thousand eight hundred and five dollars	11,805 00

Item			
75	Plymouth, a sum not exceeding forty-five hundred dollars	$4,500 00	Clerical assistance to Registers of Probate and Insolvency.
76	Suffolk, a sum not exceeding sixty-two thousand five hundred and twenty dollars	62,520 00	
77	Worcester, a sum not exceeding fifteen thousand dollars	15,000 00	
	Total	$191,605 00	
	District Attorneys, as follows:		
78	For the salaries of the district attorney and assistants for the Suffolk district, a sum not exceeding sixty thousand dollars	$60,000 00	District Attorneys.
79	For the salaries of the district attorney and assistants for the northern district, a sum not exceeding twenty-four thousand dollars	24,000 00	
80	For the salaries of the district attorney and assistants for the eastern district, a sum not exceeding fifteen thousand dollars	15,000 00	
81	For the salaries of the district attorney, deputy district attorney and assistants for the southeastern district, a sum not exceeding fifteen thousand six hundred dollars	15,600 00	
82	For the salaries of the district attorney and assistants for the southern district, a sum not exceeding ten thousand four hundred dollars	10,400 00	
83	For the salaries of the district attorney and assistants for the middle district, a sum not exceeding fifteen thousand dollars	15,000 00	
84	For the salaries of the district attorney and assistants for the western district, a sum not exceeding eighty-four hundred dollars	8,400 00	
85	For the salary of the district attorney for the northwestern district, a sum not exceeding three thousand dollars	3,000 00	
86	For traveling expenses necessarily incurred by the district attorneys, except in the Suffolk district, for the present and previous years, a sum not exceeding ninety-five hundred dollars	9,500 00	
	Total	$160,900 00	
	Service of the Land Court.		
87	For the salaries of the judge, associate judges, the recorder and court officer, a sum not exceeding thirty-eight thousand nine hundred and eighty-four dollars	$38,984 00	Land Court.
88	For engineering, clerical and other personal services, a sum not exceeding forty-four thousand five hundred dollars	44,500 00	
89	For personal services in the examination of titles, for publishing and serving citations and other services, traveling expenses, supplies and office equipment, and for the preparation of sectional plans showing registered land, a sum not exceeding twenty-five thousand dollars	25,000 00	
	Total	$108,484 00	
	Service of the Board of Probation.		
90	For personal services of the commissioner, clerks and stenographers, a sum not exceeding fifty-six thousand seven hundred dollars	$56,700 00	Board of Probation.

	Item		
Board of Probation.	91	For services other than personal, including printing the annual report, traveling expenses, rent, office supplies and equipment, a sum not exceeding eighteen thousand three hundred dollars . .	$18,300 00
		Total	$75,000 00
		Service of the Board of Bar Examiners.	
Board of Bar Examiners.	92	For personal services of the members of the board, a sum not exceeding eleven thousand dollars .	$11,000 00
	93	For other services, including printing the annual report, traveling expenses, office supplies and equipment, a sum not exceeding eighty-two hundred dollars	8,200 00
		Total	$19,200 00
		Service of the Executive Department.	
Executive Department.	94	For the salary of the governor, the sum of ten thousand dollars	$10,000 00
	95	For the salary of the lieutenant governor, the sum of four thousand dollars	4,000 00
	96	For the salaries of the eight councillors, the sum of eight thousand dollars	8,000 00
	97	For the salaries of officers and employees of the department, a sum not exceeding thirty-four thousand dollars	34,000 00
	98	For certain personal services for the lieutenant governor and council, a sum not exceeding sixty-eight hundred and seventy dollars . . .	6,870 00
	99	For travel and expenses of the lieutenant governor and council from and to their homes, a sum not exceeding one thousand dollars . . .	1,000 00
	100	For postage, printing, office and other contingent expenses, including travel of the governor, a sum not exceeding thirteen thousand dollars . .	13,000 00
	101	For postage, printing, stationery, traveling and contingent expenses of the governor and council, a sum not exceeding three thousand dollars . .	3,000 00
	102	For expenses incurred in the arrest of fugitives from justice, a sum not exceeding one thousand dollars	1,000 00
	103	For payment of extraordinary expenses and for transfers made to cover deficiencies, with the approval of the governor and council, a sum not exceeding one hundred thousand dollars . .	100,000 00
	104	For the purchase of an automobile for the governor, a sum not exceeding four thousand dollars . .	4,000 00
	105	For certain maintenance expenses of the governor's automobile, a sum not exceeding one thousand dollars	1,000 00
	106	For the purchase of a portrait of a former governor, as authorized by section nineteen of chapter eight of the General Laws, a sum not exceeding three thousand dollars	3,000 00
		Total	$188,870 00
		Service of the Adjutant General.	
Adjutant General.	107	For the salary of the adjutant general, a sum not exceeding forty-one hundred dollars . . .	$4,100 00
	108	For personal services of office assistants, including services for the preparation of records of Massachusetts soldiers and sailors who served in the civil war, a sum not exceeding thirty-six thousand eight hundred dollars	36,800 00

Item			
109	For services other than personal, printing the annual report, and for necessary office supplies and expenses, a sum not exceeding seventy-five hundred dollars	$7,500 00	Adjutant General.
110	For expenses of the national guard convention and for expenses not otherwise provided for in connection with military matters and accounts, a sum not exceeding seventy-five hundred dollars	7,500 00	
	Total	$55,900 00	

Service of the Militia.

111	For allowances to companies and other administrative units, a sum not exceeding one hundred fifty-seven thousand dollars	$157,000 00	Militia.
112	For certain allowances for national guard officers, as authorized by paragraph (*d*) of section one hundred and forty-five of chapter thirty-three of the General Laws, as amended, a sum not exceeding twenty-three thousand dollars	23,000 00	
113	For pay and transportation of certain boards, a sum not exceeding two thousand dollars	2,000 00	
114	For pay and expenses of certain camps of instruction, a sum not exceeding fifty-five hundred dollars	5,500 00	
115	For pay and transportation in making inspections and surveys, and for escort duty, a sum not exceeding forty-five hundred dollars	4,500 00	
116	For transportation of officers and non-commissioned officers for attendance at military meetings, a sum not exceeding sixty-five hundred dollars	6,500 00	
117	For transportation to and from regimental and battalion drills, a sum not exceeding three thousand dollars	3,000 00	
118	For transportation when appearing for examination, a sum not exceeding two hundred dollars	200 00	
119	For expenses of rifle practice, a sum not exceeding eighteen thousand dollars	18,000 00	
120	For compensation, transportation and expenses in the preparation for camp duty maneuvers, a sum not exceeding thirty thousand dollars	30,000 00	
121	For maintenance of horses, a sum not exceeding twenty-eight thousand dollars	28,000 00	
122	For compensation for special and miscellaneous duty, a sum not exceeding thirteen thousand dollars	13,000 00	
123	For compensation for accidents and injuries sustained in the performance of military duty, a sum not exceeding eight thousand dollars	8,000 00	
124	To cover certain small claims for damages to private property arising from military maneuvers, a sum not exceeding three hundred dollars	300 00	
125	For expenses of maintaining an aero squadron, a sum not exceeding forty-two hundred dollars	4,200 00	
126	For premiums on bonds for officers, a sum not exceeding fifteen hundred dollars	1,500 00	
127	For instruction in military authority, organization and administration, and in the elements of military art, a sum not exceeding ten thousand dollars	10,000 00	
	Total	$314,700 00	

Service of Special Military Expenses.

	Item		
Special Military Expenses.	128	For the expense of furnishing certificates of honor for service on the Mexican border, as authorized by law, a sum not exceeding one hundred dollars .	$100 00
	129	For expense of testimonials to soldiers and sailors of the world war, to be expended under the direction of the adjutant general, a sum not exceeding three hundred dollars	300 00
		Total	$400 00

Service of the State Quartermaster.

State Quartermaster.	130	For personal services of the state quartermaster, superintendent of armories, superintendent of arsenal and certain other employees of the state quartermaster, a sum not exceeding twenty-two thousand dollars	$22,000 00
	131	For expert assistance, the employment of which may be exempt from civil service rules, in the disbursement of certain money to the officers and enlisted men of the militia for compensation and allowances, a sum not exceeding twelve hundred dollars	1,200 00
	132	For the salaries of armorers and assistant armorers of first class armories, and acting superintendent of armories, a sum not exceeding one hundred forty thousand five hundred dollars	140,500 00
	133	For clerical and other expenses for the office of the property and disbursing officer, a sum not exceeding eleven thousand four hundred dollars	11,400 00
	134	For certain incidental military expenses of the quartermaster's department, a sum not exceeding eight hundred and fifty dollars . . .	850 00
	135	For office and general supplies and equipment, a sum not exceeding twelve thousand dollars .	12,000 00
	136	For the care and maintenance of the camp ground and buildings at Framingham, a sum not exceeding one thousand dollars	1,000 00
	137	For the maintenance of armories of the first class, including the purchase of certain furniture, a sum not exceeding one hundred thirty thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose . .	130,000 00
	138	For reimbursement for rent and maintenance of armories of the second and third classes, a sum not exceeding sixty-eight hundred and twenty-five dollars	6,825 00
	139	For allowances for a mechanic for each battery of field artillery, a sum not exceeding seventeen thousand six hundred dollars	17,600 00
	140	For the rental of stables, including water and certain other incidental services, for the housing of horses and mules, a sum not exceeding fourteen thousand three hundred dollars	14,300 00
	141	For expense of maintaining and operating certain trucks, a sum not exceeding twenty-five hundred dollars	2,500 00
	142	For expense of maintaining and operating the Camp Curtis Guild rifle range, a sum not exceeding eighteen thousand five hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose	18,500 00
		Total	$378,675 00

Service of the State Surgeon.

Item			
143	For personal services of the state surgeon and regular assistants, a sum not exceeding seven thousand and twenty dollars	$7,020 00	State Surgeon.
144	For services other than personal, and for necessary medical and office supplies and equipment, a sum not exceeding three thousand dollars	3,000 00	
145	For the examination of recruits, a sum not exceeding ten thousand dollars	10,000 00	
	Total	$20,020 00	

Service of the State Judge Advocate.

146	For compensation of the state judge advocate, as provided by law, a sum not exceeding fifteen hundred dollars	$1,500 00	State Judge Advocate.

Service of the Commission on Administration and Finance.

147	For personal services of the commissioners, a sum not exceeding twenty-six thousand five hundred dollars	$26,500 00	Commission on Administration and Finance.
148	For personal services of assistants and employees, a sum not exceeding one hundred seventy-nine thousand five hundred and seventy dollars	179,570 00	
149	For other expenses incidental to the duties of the commission, a sum not exceeding twenty-six thousand three hundred dollars	26,300 00	
	Total	$232,370 00	
	Purchase of paper:		
150	For the purchase of paper used in the execution of the contracts for state printing, other than legislative, with the approval of the commission on administration and finance, a sum not exceeding fifty-three thousand dollars	$53,000 00	Purchase of paper.

Service of the Armory Commissioners.

151	For compensation of members, a sum not exceeding twenty-three hundred dollars	$2,300 00	Armory Commissioners.
152	For office and traveling expenses, a sum not exceeding two hundred dollars	200 00	
153	For the completion of the new armory in the city of North Adams, a sum not exceeding seventy thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose	70,000 00	
153c	For the expense of a suitable memorial tablet to commemorate the service to the commonwealth of Brigadier-General Embury P. Clark, former commander of the Second Massachusetts Regiment during the Spanish-American war, to be placed in the state armory at Springfield under the direction of the armory commission, a sum not exceeding twelve hundred dollars	1,200 00	
	Total	$73,700 00	

Service of the Commissioner of State Aid and Pensions.

	Item		
Commissioner of State Aid and Pensions.	154	For personal services of the commissioner and deputy, a sum not exceeding eighty-two hundred and forty dollars	$8,240 00
	155	For personal services of agents, clerks, stenographers and other assistants, a sum not exceeding twenty-eight thousand five hundred and twenty dollars	28,520 00
	156	For services other than personal, including printing the annual report, traveling expenses of the commissioner and his employees, and necessary office supplies and equipment, a sum not exceeding fifty-nine hundred dollars	5,900 00
		Total	$42,660 00

For Expenses on Account of Wars.

Expenses on Account of Wars. Reimbursement of cities and towns for state and military aid.	157	For reimbursing cities and towns for money paid on account of state and military aid to Massachusetts soldiers and their families, the sum of two hundred forty-three thousand dollars, the same to be paid on or before the fifteenth day of November in the current year, in accordance with the provisions of existing laws relative to state and military aid	$243,000 00
Care of veterans of civil war, etc.	158	For certain care of veterans of the civil war and their wives and widows, as authorized by chapter three hundred and forty of the acts of nineteen hundred and twenty-nine, a sum not exceeding fifty-five thousand dollars	55,000 00
Records of Massachusetts soldiers in civil war.	159	For expenses of printing certain volumes of the records of Massachusetts soldiers in the civil war, a sum not exceeding ten thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose	10,000 00
Mount Greylock War Memorial Commission.	160	For expenses of the Mount Greylock War Memorial Commission, as authorized by chapter four hundred and eleven of the acts of nineteen hundred and thirty, a sum not exceeding one hundred thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose	100,000 00
		Total	$408,000 00

Service of the Massachusetts Soldiers' Home.

Soldiers' Home in Massachusetts.	161	For the maintenance of the Soldiers' Home in Massachusetts, with the approval of the trustees thereof, a sum not exceeding two hundred thirty thousand dollars. Payments from the state treasury under this item shall be made only upon vouchers filed with the comptroller in accordance with the procedure prescribed under section eighteen of chapter twenty-nine of the General Laws . . .	$230,000 00

Service of the Art Commission.

Art Commission.	162	For expenses of the commission, a sum not exceeding four hundred dollars	$400 00

Service of the Commissioners on Uniform State Laws.

Commissioners on Uniform State Laws.	163	For expenses of the commissioners, a sum not exceeding seven hundred and fifty dollars . .	$750 00

Service of the State Library.

Item			
164	For personal services of the librarian, a sum not exceeding fifty-eight hundred and fifty dollars	$5,850 00	State Library.
165	For personal services of the regular library assistants, temporary clerical assistance, and for services for cataloguing, a sum not exceeding forty-one thousand one hundred dollars	41,100 00	
166	For services other than personal, including printing the annual report, office supplies and equipment, and incidental traveling expenses, a sum not exceeding twenty-five hundred dollars	2,500 00	
167	For books and other publications and things needed for the library, and the necessary binding and rebinding incidental thereto, a sum not exceeding thirteen thousand five hundred dollars	13,500 00	
	Total	$62,950 00	

Service of the Superintendent of Buildings.

168	For personal services of the superintendent and office assistants, a sum not exceeding ten thousand four hundred and seventy dollars	$10,470 00	Superintendent of Buildings.
169	For personal services of engineers, assistant engineers, firemen and helpers in the engineer's department, a sum not exceeding fifty-nine thousand eight hundred dollars	59,800 00	
170	For personal services of state house guards and assistant state house guards, a sum not exceeding forty-five thousand one hundred and eighty dollars	45,180 00	
171	For personal services of porters, a sum not exceeding twenty-six thousand one hundred dollars	26,100 00	
172	For other personal services incidental to the care and maintenance of the state house, a sum not exceeding sixty-five thousand eight hundred and fifty dollars	65,850 00	
173	For personal services of the central mailing room, a sum not exceeding forty-eight hundred dollars	4,800 00	
	Total	$212,200 00	
	Other Annual Expenses:		
174	For contingent, office and other expenses of the superintendent, a sum not exceeding three hundred dollars	$300 00	Other Annual Expenses.
175	For telephone service in the building and expenses in connection therewith, a sum not exceeding thirty-nine thousand five hundred dollars	39,500 00	
176	For services, supplies and equipment necessary to furnish heat, light and power, a sum not exceeding forty thousand five hundred dollars	40,500 00	
177	For other services, supplies and equipment necessary for the maintenance and care of the state house and grounds, including repairs of furniture and equipment, a sum not exceeding thirty-eight thousand dollars	38,000 00	
178	For office and other expenses of the central mailing room, a sum not exceeding six hundred dollars	600 00	
	Total	$118,900 00	

For the Maintenance of Old State House.

179	For the contribution of the commonwealth toward the maintenance of the old provincial state house, the sum of fifteen hundred dollars	$1,500 00	Old State House Maintenance.

Service of the Secretary of the Commonwealth.

	Item		
Secretary of the Commonwealth.	180	For the salary of the secretary, the sum of seven thousand dollars	$7,000 00
	181	For the salaries of officers and employees holding positions established by law, and other personal services, a sum not exceeding one hundred thirteen thousand two hundred dollars	113,200 00
	182	For services other than personal, traveling expenses, office supplies and equipment, for the arrangement and preservation of state records and papers, and for advertising the purpose of sections twenty-eight A, B, C and D of chapter six of the General Laws, inserted by section two of chapter three hundred and eighty-three of the acts of nineteen hundred and twenty-eight, a sum not exceeding nineteen thousand dollars	19,000 00
	183	For postage and expressage on public documents, and for mailing copies of bills and resolves to certain state, city and town officials, a sum not exceeding thirty-five hundred dollars . .	3,500 00
	184	For printing registration books and blanks and indexing returns, a sum not exceeding one thousand dollars	1,000 00
	185	For the purchase of copies of certain town records prior to eighteen hundred and fifty, a sum not exceeding seven thousand dollars . . .	7,000 00
	186	For the purchase of certain supplies and equipment, and for other things necessary in connection with the reproduction of the manuscript collection designated "Massachusetts Archives", a sum not exceeding twenty-five hundred dollars . .	2,500 00
	187	For the purchase and distribution of copies of certain journals of the house of representatives of Massachusetts Bay from seventeen hundred and fifteen to seventeen hundred and eighty, inclusive, as authorized by chapter four hundred and thirteen of the acts of nineteen hundred and twenty, a sum not exceeding seven hundred and fifty dollars	750 00
	188	For the purchase of ink for public records of the commonwealth, a sum not exceeding one thousand dollars	1,000 00
	189	For traveling expenses of the supervisor of public records, a sum not exceeding one thousand dollars	1,000 00
	190	For expenses of the census division of the department of the secretary of the commonwealth, a sum not exceeding two hundred dollars . . .	200 00
		Total	$156,150 00
		Indexing vital statistics:	
Indexing vital statistics.	191	For the preparation of certain indexes of births, marriages and deaths, a sum not exceeding ten thousand dollars, the same to be in addition to the amount appropriated in the preceding year	$10,000 00
		For printing laws, etc.:	
Printing laws, etc.	192	For printing the pamphlet edition of the acts and resolves of the present year, a sum not exceeding forty-two hundred dollars	$4,200 00
	193	For printing and binding the blue book edition of the acts and resolves of the present year, a sum not exceeding six thousand dollars . . .	6,000 00

Item			
194	For the printing of reports of decisions of the supreme judicial court, a sum not exceeding thirty-nine thousand seven hundred and fifty dollars, the same to be in addition to any amount heretofore appropriated for the purpose	$39,750 00	Printing laws, etc.
195	For printing and binding public documents, a sum not exceeding thirty-five hundred dollars . .	3,500 00	
196	For printing the new edition of the General Laws, a sum not exceeding thirteen thousand dollars .	13,000 00	
	Total	$66,450 00	
	For matters relating to elections:		
197	For personal and other services in preparing for primary elections, and for the expenses of preparing, printing and distributing ballots for primary and other elections, a sum not exceeding two thousand dollars	$2,000 00	Election matters.
198	For the printing of blanks for town officers, election laws and blanks and instructions on all matters relating to elections, a sum not exceeding one thousand dollars	1,000 00	
199	For furnishing cities and towns with ballot boxes, and for repairs to the same; for the purchase of apparatus to be used at polling places in the canvass and counting of votes; and for providing certain registration facilities, a sum not exceeding two thousand dollars	2,000 00	
	Total	$5,000 00	
	Medical Examiners' Fees:		
200	For medical examiners' fees, as provided by law, a sum not exceeding one thousand dollars . .	$1,000 00	Medical Examiners' Fees.
	Service of the Treasurer and Receiver-General.		
201	For the salary of the treasurer and receiver-general, the sum of six thousand dollars . . .	$6,000 00	Treasurer and Receiver-General.
202	For salaries of officers and employees holding positions established by law and additional clerical and other assistance, a sum not exceeding fifty-seven thousand dollars	57,000 00	
203	For services other than personal, traveling expenses, office supplies and equipment, a sum not exceeding twelve thousand eight hundred dollars .	12,800 00	
	Total	$75,800 00	
	Commissioners on Firemen's Relief:		
204	For relief disbursed, with the approval of the commissioners on firemen's relief, subject to the provisions of law, a sum not exceeding seventeen thousand five hundred dollars	$17,500 00	Commissioners on Firemen's Relief.
205	For expenses of administration by the commissioners on firemen's relief, a sum not exceeding five hundred dollars	500 00	
	Total	$18,000 00	
	Payments to Soldiers:		
206	For expenses of administering certain laws relating to payments in recognition of military service in the world war, a sum not exceeding eighteen hundred dollars, to be paid from the receipts from taxes levied under authority of chapters two hundred and eighty-three and three hundred and forty-two of the General Acts of nineteen hundred and nineteen	$1,800 00	Payments to Soldiers.

	Item		
Payments to Soldiers.	207	For making payments to soldiers in recognition of service during the world war, as provided by law, a sum not exceeding seven thousand dollars, to be paid from receipts from taxes levied as specified in item two hundred and six	$7,000 00
	208	For payments to soldiers and sailors in the volunteer service of the United States during the Spanish-American war, and to certain of their dependents, as authorized by section one of chapter five hundred and sixty-one of the acts of eighteen hundred and ninety-eight, as amended by section one of chapter four hundred and seventy-one of the acts of eighteen hundred and ninety-nine, a sum not exceeding two hundred dollars	200 00
		Total	$9,000 00
		State Board of Retirement:	
State Board of Retirement.	209	For personal services in the administrative office of the state board of retirement, a sum not exceeding ten thousand four hundred dollars . . .	$10,400 00
	210	For services other than personal, printing the annual report, and for office supplies and equipment, a sum not exceeding fifty-four hundred and eighty dollars	5,480 00
	211	For requirements of annuity funds and pensions for employees retired from the state service under authority of law, a sum not exceeding one hundred eighty thousand dollars	180,000 00
		Total	$195,880 00
		Board of Tax Appeals:	
Board of Tax Appeals.	212	For personal services of the members of the board and employees, a sum not exceeding thirty-six thousand dollars	$36,000 00
	213	For services other than personal, traveling expenses, office supplies and equipment, and rent, a sum not exceeding eighteen thousand dollars . . .	18,000 00
		Total	$54,000 00
		Requirements for Extinguishing the State Debt.	
Requirements for Extinguishing State Debt.	214	For sinking fund requirements and for certain serial bonds maturing during the present year, the sum of seven hundred fifteen thousand five hundred sixty-six dollars and fifty cents, payable from the following accounts and funds in the following amounts: — from the balance of the receipts of the sale of the Boston dry dock, two hundred sixteen thousand seven hundred ninety dollars and thirty-five cents; from the Highway Fund, the sum of two hundred seventy-three thousand five hundred sixty-six dollars and fifty cents; and the remainder from the General Fund . .	$715,566 50
		Interest on the Public Debt.	
Interest on Public Debt.	215	For the payment of interest on the direct debt of the commonwealth, a sum not exceeding eight hundred forty-four thousand one hundred forty dollars and seventy-five cents, of which sum two hundred eighty-three thousand four hundred fifty-six dollars and twenty-five cents shall be paid from the Highway Fund	$844,140 75

Service of the Auditor of the Commonwealth.

Item			
216	For the salary of the auditor, the sum of six thousand dollars	$6,000 00	Auditor of the Commonwealth.
217	For personal services of deputies and other assistants, a sum not exceeding fifty-four thousand seven hundred and fifty dollars	54,750 00	
218	For services other than personal, traveling expenses, office supplies and equipment, a sum not exceeding seventy-seven hundred dollars	7,700 00	
	Total	$68,450 00	

Service of the Attorney General's Department.

219	For the salary of the attorney general, the sum of eight thousand dollars	$8,000 00	Attorney General's Department.
220	For the compensation of assistants in his office, and for such other legal and personal services as may be required, a sum not exceeding eighty-five thousand dollars	85,000 00	
221	For services other than personal, traveling expenses, office supplies and equipment, a sum not exceeding ten thousand dollars	10,000 00	
222	For the settlement of certain small claims, as authorized by section three A of chapter twelve of the General Laws, inserted by chapter three hundred and ninety-five of the acts of nineteen hundred and twenty-four, a sum not exceeding five thousand dollars	5,000 00	
	Total	$108,000 00	

Service of the Department of Agriculture.

223	For the salary of the commissioner, a sum not exceeding six thousand dollars	$6,000 00	Department of Agriculture.
224	For personal services of clerks and stenographers, a sum not exceeding twenty-two thousand dollars	22,000 00	
225	For traveling expenses of the commissioner, a sum not exceeding twelve hundred dollars	1,200 00	
226	For services other than personal, printing the annual report, office supplies and equipment, and printing and furnishing trespass posters, a sum not exceeding eighty-eight hundred dollars	8,800 00	
227	For compensation and expenses of members of the advisory board, a sum not exceeding two thousand dollars	2,000 00	
228	For services and expenses of apiary inspection, a sum not exceeding three thousand dollars	3,000 00	
	Division of Dairying and Animal Husbandry:		
229	For personal services, a sum not exceeding fourteen thousand six hundred dollars	14,600 00	Division of Dairying and Animal Husbandry.
230	For other expenses, including the enforcement of the dairy laws of the commonwealth, a sum not exceeding ninety-two hundred dollars	9,200 00	
	Division of Plant Pest Control:		
231	For personal services, a sum not exceeding eleven thousand five hundred dollars	11,500 00	Division of Plant Pest Control.
232	For other expenses, a sum not exceeding sixty-three hundred dollars	6,300 00	
	Division of Ornithology:		
233	For personal services, a sum not exceeding thirty-five hundred dollars	3,500 00	Division of Ornithology.

	Item		
Division of Ornithology.	234	For other expenses, a sum not exceeding eight hundred dollars	$800 00
		Division of Markets:	
Division of Markets.	235	For personal services, a sum not exceeding twenty thousand seven hundred dollars . . .	20,700 00
	236	For other expenses, a sum not exceeding fifty-one hundred dollars	5,100 00
		Division of Reclamation, Soil Survey and Fairs:	
Division of Reclamation, Soil Survey and Fairs.	237	For personal services, a sum not exceeding twelve thousand five hundred dollars	12,500 00
	238	For travel and other expenses, a sum not exceeding seventy-five hundred dollars	7,500 00
	239	For state prizes and agricultural exhibits, a sum not exceeding thirty-five thousand dollars, the same to be in addition to any amount heretofore appropriated for this purpose, and any unexpended balance remaining at the end of the current fiscal year may be used in the succeeding year . .	35,000 00
		Specials:	
Specials.	240	For work in protecting the pine trees of the commonwealth from white pine blister rust, and for payments of claims on account of currant and gooseberry bushes destroyed in the work of suppressing white pine blister rust, a sum not exceeding nineteen thousand dollars . . .	19,000 00
	241	For quarantine and other expenses in connection with the work of suppression of the European cornborer, so-called, a sum not exceeding sixty-five hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose	6,500 00
	242	For quarantine and other expenses in connection with the work of suppression of the Japanese beetle, so-called, a sum not exceeding five thousand dollars	5,000 00
	243	For the cost of work of inspecting certain orchards of the commonwealth to provide for effective apple pest control, a sum not exceeding five thousand dollars	5,000 00
		Total	$205,200 00
		Service of State Reclamation Board.	
State Reclamation Board.	244	For expenses of the board, a sum not exceeding seventeen thousand dollars	$17,000 00
		Service of the Department of Conservation.	
		Administration:	
Department of Conservation.	245	For the salary of the commissioner, a sum not exceeding six thousand dollars	$6,000 00
	246	For traveling expenses of the commissioner, a sum not exceeding two hundred and fifty dollars .	250 00
	246a	For telephone service and certain other office charges of the department, a sum not exceeding four thousand dollars	4,000 00
	247	For personal services of a telephone operator and office boy, a sum not exceeding sixteen hundred dollars	1,600 00
		Total	$11,850 00
		Division of Forestry:	
Division of Forestry.	247¼	For personal services of office assistants, a sum not exceeding fourteen thousand five hundred dollars	$14,500 00

Item			
247½	For services other than personal, including printing the annual report, and for traveling expenses, necessary office supplies and equipment, and rent, a sum not exceeding nine thousand and thirty-five dollars	Division of Forestry. $9,035 00	
247¾	For the salaries and expenses of foresters and for necessary labor, supplies and equipment in maintaining forest tree nurseries, a sum not exceeding fifteen thousand dollars	15,000 00	
248	For the purchase of land and reforesting the same, as authorized by section ten of chapter one hundred and thirty-two of the General Laws, as amended, a sum not exceeding two thousand dollars	2,000 00	
249	For aiding towns in the purchase of equipment for extinguishing forest fires and for making protective belts or zones as a defence against forest fires, for the present and previous years, a sum not exceeding fifteen hundred dollars	1,500 00	
250	For the personal services of the state fire warden and his assistants, and for other services, including traveling expenses of the state fire warden and his assistants, necessary supplies and equipment and materials used in new construction in the forest fire prevention service, a sum not exceeding sixty-five thousand dollars, the same to be in addition to any funds allotted to Massachusetts by the federal authorities	65,000 00	
251	For the suppression of the gypsy and brown tail moths, and for expenses incidental thereto, a sum not exceeding sixty thousand dollars, the same to be in addition to any amount heretofore appropriated for this purpose, and any unexpended balance remaining at the end of the current fiscal year may be used in the succeeding year	60,000 00	
252	For the planting and maintenance of state forests, a sum not exceeding twenty-two thousand dollars	22,000 00	
253	For the purchase and development of state forests, and for the maintenance of nurseries for the growing of seedlings for the planting of state forests, as authorized by sections thirty to thirty-six, inclusive, of chapter one hundred and thirty-two of the General Laws, as amended, a sum not exceeding one hundred fifty thousand dollars, the same to be in addition to any amount heretofore appropriated for this purpose, and any unexpended balance remaining at the end of the current fiscal year may be used in the succeeding year	150,000 00	
254	For the maintenance of the Standish monument reservation, a sum not exceeding two thousand dollars	2,000 00	
255	For the maintenance of Mount Grace state forest, a sum not exceeding five hundred dollars	500 00	
256	For reimbursement to certain towns, as authorized by section twenty-four of chapter forty-eight of the General Laws, as amended, a sum not exceeding two thousand dollars	2,000 00	
257	For the expense of forest fire patrol, as authorized by section twenty-eight A of chapter forty-eight of the General Laws, inserted by chapter two hundred and eighty-four of the acts of nineteen hundred and twenty-nine, a sum not exceeding three thousand dollars	3,000 00	
258	(This item omitted.)		
	Total	$346,535 00	

	Item		
		Division of Fisheries and Game:	
Division of Fisheries and Game.	259	For the salary of the director, a sum not exceeding five thousand dollars	$5,000 00
	260	For personal services of office assistants, a sum not exceeding eleven thousand five hundred and fifty dollars	11,550 00
	261	For services other than personal, including printing the annual report, traveling expenses and necessary office supplies and equipment, and rent, a sum not exceeding thirteen thousand five hundred dollars	13,500 00
	262	For expenses of exhibitions and other measures to increase the interest of the public in the protection and propagation of fish and game, a sum not exceeding one thousand dollars	1,000 00
		Enforcement of laws:	
Enforcement of laws.	263	For personal services of fish and game wardens, a sum not exceeding seventy-one thousand and sixty dollars	71,060 00
	264	For traveling expenses of fish and game wardens, and for other expenses necessary for the enforcement of the laws, a sum not exceeding forty-four thousand dollars	44,000 00
		Biological work:	
Biological work.	265	For personal services to carry on biological work, a sum not exceeding eighty-three hundred and twenty dollars	8,320 00
	266	For traveling and other expenses of the biologist and his assistants, a sum not exceeding thirty-four hundred and twenty dollars	3,420 00
		Propagation of game birds, etc.:	
Propagation of game birds, etc.	267	For the maintenance of game farms and fish hatcheries, and for the propagation of game birds and animals and food fish, a sum not exceeding one hundred twenty-two thousand dollars . .	122,000 00
		Damages by wild deer and wild moose:	
Damages by wild deer and wild moose.	268	For the payment of damages caused by wild deer and wild moose, for the present year and previous years, as provided by law, a sum not exceeding six thousand dollars	6,000 00
		Special:	
Special.	269	For improvements and additions at fish hatcheries and game farms, a sum not exceeding twenty-four thousand four hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose	24,400 00
		Protection of wild life:	
Protection of wild life.	270	For expenses incurred in the protection of certain wild life, a sum not exceeding forty-five hundred dollars	4,500 00
		Marine fisheries:	
Marine fisheries.	271	For personal services and expenses for regulating the sale and cold storage of fresh food fish, a sum not exceeding eighteen thousand dollars . .	18,000 00
		State Supervisor of Marine Fisheries:	
State Supervisor of Marine Fisheries.	272	For personal services of the state supervisor of marine fisheries and his assistants, a sum not exceeding nine thousand dollars	9,000 00

Item			
273	For office and other expenses of the state supervisor of marine fisheries, a sum not exceeding six thousand dollars	$6,000 00	State Supervisor of Marine Fisheries.
	Enforcement of shellfish laws:		
274	For personal services for the enforcement of laws relative to shellfish, a sum not exceeding seventeen thousand seven hundred dollars	17,700 00	Enforcement of shellfish laws.
275	For other expenses for the enforcement of laws relative to shellfish, a sum not exceeding eleven thousand five hundred dollars	11,500 00	
276	For expenses of purchasing lobsters, subject to the conditions imposed by chapter two hundred and sixty-three of the acts of nineteen hundred and twenty-eight, a sum not exceeding ten thousand dollars	10,000 00	
	Total	$386,950 00	
	Bounty on seals:		
277	For bounties on seals, a sum not exceeding eight hundred dollars	$800 00	Bounty on seals.
	Division of Animal Industry:		
278	For the salary of the director, a sum not exceeding four thousand dollars	$4,000 00	Division of Animal Industry.
279	For personal services of clerks and stenographers, a sum not exceeding twenty-one thousand dollars	21,000 00	
280	For services other than personal, including printing the annual report, traveling expenses of the director, office supplies and equipment, and rent, a sum not exceeding fourteen thousand and thirty-five dollars	14,035 00	
281	For personal services of veterinarians and agents engaged in the work of extermination of contagious diseases among domestic animals, a sum not exceeding seventy-three thousand dollars	73,000 00	
282	For traveling expenses of veterinarians and agents, including the cost of any motor vehicles purchased for their use, a sum not exceeding thirty-seven thousand five hundred dollars	37,500 00	
283	For reimbursement of owners of horses killed during the present and previous years, travel, when allowed, of inspectors of animals, incidental expenses of killing and burial, quarantine and emergency services, and for laboratory and veterinary supplies and equipment, a sum not exceeding eight thousand dollars	8,000 00	
284	For reimbursement of owners of tubercular cattle killed, as authorized by section twelve A of chapter one hundred and twenty-nine of the General Laws, inserted by section one of chapter three hundred and four of the acts of nineteen hundred and twenty-four, and in accordance with certain provisions of law and agreements made under authority of section thirty-three of said chapter one hundred and twenty-nine, as amended, during the present and previous year, a sum not exceeding eight hundred thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose, and any unexpended balance remaining at the end of the current fiscal year may be used in the succeeding year	800,000 00	
	Total	$957,535 00	

	Item		
		Reimbursement of towns for inspectors of animals:	
Reimbursement of towns for inspectors of animals.	285	For the reimbursement of certain towns for compensation paid to inspectors of animals, a sum not exceeding fifty-five hundred dollars . .	$5,500 00
		Service of the Department of Banking and Insurance.	
		Division of Banks:	
Department of Banking and Insurance.	286	For the salary of the commissioner, the sum of six thousand dollars	$6,000 00
Division of Banks.	287	For services of deputy, directors, examiners and assistants, clerks, stenographers and experts, a sum not exceeding two hundred seventy-eight thousand nine hundred dollars	278,900 00
	288	For services other than personal, printing the annual report, traveling expenses, office supplies and equipment, a sum not exceeding sixty-four thousand five hundred dollars	64,500 00
		Total	$349,400 00
		Supervisor of Loan Agencies:	
Supervisor of Loan Agencies.	289	For personal services of supervisor and assistants, a sum not exceeding eleven thousand seven hundred dollars	$11,700 00
	290	For services other than personal, printing the annual report, office supplies and equipment, a sum not exceeding eighteen hundred dollars .	1,800 00
		Total	$13,500 00
		Division of Insurance:	
Division of Insurance.	291	For the salary of the commissioner, a sum not exceeding six thousand dollars	$6,000 00
	292	For other personal services of the division, including expenses of the board of appeal and certain other costs of supervising motor vehicle liability insurance, a sum not exceeding one hundred ninety thousand dollars, of which sum not more than twenty-eight thousand dollars may be charged to the Highway Fund	190,000 00
	293	For other services, including printing the annual report, traveling expenses and necessary office supplies and equipment, a sum not exceeding thirty-seven thousand dollars	37,000 00
		Total	$233,000 00
		Board of Appeal on Fire Insurance Rates:	
Board of Appeal on Fire Insurance Rates.	294	For expenses of the board, a sum not exceeding two hundred dollars	$200 00
		Division of Savings Bank Life Insurance:	
Division of Savings Bank Life Insurance.	295	For personal services of officers and employees, a sum not exceeding twenty-eight thousand three hundred dollars	$28,300 00
	296	For publicity, including traveling expenses of one person, a sum not exceeding two thousand dollars	2,000 00
	297	For services other than personal, printing the annual report, traveling expenses, rent, office supplies and equipment, a sum not exceeding ninety-one hundred dollars	9,100 00

Item			
298	For encouraging and promoting old age annuities and the organization of mutual benefit associations among the employees of industrial plants in the commonwealth, a sum not exceeding thirty-two hundred dollars	$3,200 00	Division of Savings Bank Life Insurance.
	Total	$42,600 00	
	Service of the Department of Corporations and Taxation.		
	Corporation and Tax Divisions:		
299	For the salary of the commissioner, a sum not exceeding seventy-five hundred dollars . . .	$7,500 00	Department of Corporations and Taxation.
300	For the salaries of certain positions filled by the commissioner, with the approval of the governor and council, and for additional clerical and other assistance, a sum not exceeding two hundred twenty-two thousand dollars, of which sum not more than twenty thousand dollars may be charged to the Highway Fund to cover the estimated cost of collection of the gasoline tax, so-called	222,000 00	Corporation and Tax Divisions.
301	For traveling expenses, a sum not exceeding ten thousand dollars	10,000 00	
302	For other services and for necessary office supplies and equipment, and for printing the annual report, other publications and valuation books, a sum not exceeding forty-one thousand dollars . .	41,000 00	
	Total	$280,500 00	
	Income Tax Division (the three following appropriations are to be made from the receipts from the income tax):		
303	For personal services of the deputy, assistants, assessors, assistant assessors, clerks, stenographers and other necessary assistants, a sum not exceeding four hundred thirty-seven thousand dollars	$437,000 00	Income Tax Division.
304	For traveling expenses of members of the division, a sum not exceeding ten thousand dollars . .	10,000 00	
305	For services other than personal, and for office supplies and equipment, a sum not exceeding one hundred thirty-six thousand dollars . . .	136,000 00	
	Total	$583,000 00	
	Division of Accounts:		
306	For personal services, a sum not exceeding eighty-three thousand five hundred dollars . . .	$83,500 00	Division of Accounts.
307	For other expenses, a sum not exceeding fourteen thousand five hundred dollars	14,500 00	
308	For the administrative expenses required under the provisions of chapter four hundred of the acts of nineteen hundred and thirty, a sum not exceeding twelve thousand five hundred dollars . .	12,500 00	
309	For services and expenses of auditing and installing systems of municipal accounts, the cost of which is to be assessed upon the municipalities for which the work is done, a sum not exceeding one hundred seventy-eight thousand dollars . . .	178,000 00	
310	For the expenses of certain books, forms and other material, which may be sold to cities and towns requiring the same for maintaining their system of accounts, a sum not exceeding eighteen thousand dollars	18,000 00	
	Total	$306,500 00	

	Item		
		Reimbursement for loss of taxes:	
Reimbursement for loss of taxes.	311	For reimbursing cities and towns for loss of taxes on land used for state institutions and certain other state activities, as certified by the commissioner of corporations and taxation for the fiscal year ending November thirtieth, nineteen hundred and thirty-one, a sum not exceeding one hundred nineteen thousand dollars	$119,000 00
		Service of the Department of Education.	
Department of Education.	312	For the salary of the commissioner, a sum not exceeding nine thousand dollars	$9,000 00
	313	For personal services of officers, agents, clerks, stenographers and other assistants, but not including those employed in university extension work, a sum not exceeding one hundred one thousand eight hundred dollars	101,800 00
	314	For traveling expenses of members of the advisory board and of agents and employees when required to travel in discharge of their duties, a sum not exceeding ninety-five hundred dollars. . .	9,500 00
	315	For services other than personal, necessary office supplies, and for printing the annual report and bulletins as provided by law, a sum not exceeding eleven thousand five hundred dollars . .	11,500 00
	316	For printing and distributing certain bulletins, a sum not exceeding fifty-three hundred and twenty-five dollars	5,325 00
	317	For expenses incidental to furnishing school committees with rules for testing the sight and hearing of pupils, a sum not exceeding five hundred dollars	500 00
	318	For printing school registers and other school blanks for cities and towns, a sum not exceeding three thousand dollars	3,000 00
	319	For assisting small towns in providing themselves with school superintendents, as provided by law, a sum not exceeding one hundred one thousand dollars	101,000 00
	320	For the reimbursement of certain towns for the payment of tuition of pupils attending high schools outside the towns in which they reside, as provided by law, a sum not exceeding two hundred fifteen thousand dollars	215,000 00
	321	For the reimbursement of certain towns for the transportation of pupils attending high schools outside the towns in which they reside, as provided by law, a sum not exceeding one hundred ninety-five thousand dollars	195,000 00
	322	For the reimbursement of certain cities and towns for a part of the expense of maintaining agricultural and industrial vocational schools, as provided by law, a sum not exceeding one million five hundred seventy-two thousand six hundred twenty-seven dollars and forty cents . . .	1,572,627 40
	323	For the expense of promotion of vocational rehabilitation in co-operation with the federal government, including rent, with the approval of the department of education, a sum not exceeding seventeen thousand three hundred dollars . .	17,300 00
	324	For aid to certain persons receiving instruction in the courses for vocational rehabilitation, as authorized by section twenty-two B of chapter seventy-four of the General Laws, inserted by chapter four hundred and thirty-four of the acts of nineteen hundred and twenty-three, a sum not exceeding four thousand dollars . . .	4,000 00

Item			
325	For the education of deaf and blind pupils of the commonwealth, as provided by section twenty-six of chapter sixty-nine of the General Laws, a sum not exceeding four hundred thousand dollars	$400,000 00	Department of Education.
326	For expenses of holding teachers' institutes, a sum not exceeding three thousand dollars	3,000 00	
327	For aid to certain pupils in normal schools, under the direction of the department of education, a sum not exceeding four thousand dollars	4,000 00	
328	For the training of teachers for vocational schools, to comply with the requirements of federal authorities under the provisions of the Smith-Hughes act, so-called, a sum not exceeding thirty-three thousand five hundred dollars	33,500 00	
329	For assistance to the children of certain soldiers, as authorized by chapter two hundred and sixty-three of the acts of nineteen hundred and thirty, a sum not exceeding three thousand dollars	3,000 00	
	Total	$2,689,052 40	
	English-speaking Classes for Adults:		
330	For personal services of administration, a sum not exceeding eleven thousand five hundred dollars	$11,500 00	English-speaking Classes for Adults.
331	For other expenses of administration, a sum not exceeding four thousand dollars	4,000 00	
332	For reimbursement of certain cities and towns, a sum not exceeding one hundred fifty thousand dollars	150,000 00	
	Total	$165,500 00	
	University Extension Courses:		
333	For personal services, a sum not exceeding one hundred forty-two thousand eight hundred dollars	$142,800 00	University Extension Courses.
334	For other expenses, a sum not exceeding forty-two thousand dollars	42,000 00	
	Total	$184,800 00	
	Division of Immigration and Americanization:		
335	For personal services, a sum not exceeding forty-four thousand one hundred dollars	$44,100 00	Division of Immigration and Americanization.
336	For other expenses, a sum not exceeding ten thousand seven hundred dollars	10,700 00	
	Total	$54,800 00	
	Division of Public Libraries:		
337	For personal services of regular agents and office assistants, a sum not exceeding fourteen thousand two hundred dollars	$14,200 00	Division of Public Libraries.
338	For other services, including printing the annual report, traveling expenses, necessary office supplies and expenses incidental to the aiding of public libraries, a sum not exceeding fourteen thousand three hundred dollars	14,300 00	
	Total	$28,500 00	
	Division of the Blind:		
339	For general administration, furnishing information, industrial and educational aid, and for carrying out certain provisions of the laws establishing said division, a sum not exceeding forty-five thousand five hundred dollars	$45,500 00	Division of the Blind.

	Item		
Division of the Blind.	340	For the maintenance of local shops, a sum not exceeding seventy-two thousand five hundred dollars	$72,500 00
	341	For maintenance of Woolson House industries, so-called, to be expended under the authority of said division, a sum not exceeding thirty thousand five hundred dollars	30,500 00
	342	For the maintenance of certain industries for men, to be expended under the authority of said division, a sum not exceeding one hundred fifty-nine thousand dollars	159,000 00
	343	For instruction of the adult blind in their homes, a sum not exceeding seventeen thousand three hundred dollars	17,300 00
	344	For expenses of providing sight-saving classes, with the approval of the division of the blind, a sum not exceeding seventeen thousand five hundred dollars	17,500 00
	345	For aiding the adult blind, subject to the conditions provided by law, a sum not exceeding one hundred fifty thousand dollars	150,000 00
		Total	$492,300 00
		Teachers' Retirement Board:	
Teachers' Retirement Board.	346	For personal services of employees, a sum not exceeding twelve thousand dollars	$12,000 00
	347	For services other than personal, including printing the annual report, traveling expenses, office supplies and equipment, and rent, a sum not exceeding four thousand fifty dollars	4,050 00
	348	For payment of pensions to retired teachers, a sum not exceeding seven hundred fifty thousand dollars	750,000 00
	349	For reimbursement of certain cities and towns for pensions to retired teachers, a sum not exceeding one hundred ninety-three thousand three hundred sixty-seven dollars and thirty-nine cents	193,367 39
	350	For payment into the annuity fund for the period of the year nineteen hundred and thirty, in accordance with certain actuarial figures, a sum not exceeding ten thousand nine hundred sixty-three dollars and fifty-three cents	10,963 53
		Total	$970,380 92
		Massachusetts Nautical School:	
Massachusetts Nautical School.	351	For personal services of the secretary and office assistants, a sum not exceeding forty-seven hundred dollars	$4,700 00
	352	For services other than regular clerical services, including printing the annual report, rent, office supplies and equipment, a sum not exceeding twenty-three hundred dollars	2,300 00
	353	For the maintenance of the school and ship, a sum not exceeding eighty-nine thousand one hundred dollars	89,100 00
		Total	$96,100 00
Maintenance and improvement of state normal schools.		For the maintenance of and for certain improvements at the state normal schools, and the boarding halls attached thereto, with the approval of the commissioner of education, as follows:	
Bridgewater normal school.	354	Bridgewater normal school, a sum not exceeding one hundred fifty-eight thousand dollars	$158,000 00

Item			
355	Bridgewater normal school boarding hall, a sum not exceeding seventy-eight thousand dollars	$78,000 00	Bridgewater normal school.
356	For expenses of a new roadway to the power plant at the Bridgewater normal school, a sum not exceeding fifteen hundred dollars	1,500 00	
357	Fitchburg normal school, a sum not exceeding one hundred seventy-three thousand four hundred dollars	173,400 00	Fitchburg normal school.
358	Fitchburg normal school boarding hall, a sum not exceeding thirty-seven thousand dollars	37,000 00	
359	For the cost of rewiring the normal school building at the Fitchburg normal school, a sum not exceeding three thousand dollars	3,000 00	
360	For re-arrangement of electric service connections between buildings and re-location of transformers at the Fitchburg normal school, a sum not exceeding twenty-five hundred dollars	2,500 00	
361	Framingham normal school, a sum not exceeding one hundred sixty-nine thousand one hundred dollars	169,100 00	Framingham normal school.
362	Framingham normal school boarding hall, a sum not exceeding eighty-seven thousand five hundred dollars	87,500 00	
363	For improvements in the boiler room and in the heating system at the Framingham normal school, a sum not exceeding fifty-five hundred dollars	5,500 00	
364	Hyannis normal school, a sum not exceeding fifty-nine thousand seven hundred and fifty dollars	59,750 00	Hyannis normal school.
365	Hyannis normal school boarding hall, a sum not exceeding twenty-five thousand dollars	25,000 00	
366	Lowell normal school, a sum not exceeding eighty-six thousand four hundred dollars	86,400 00	Lowell normal school.
367	North Adams normal school, a sum not exceeding eighty-eight thousand dollars	88,000 00	North Adams normal school.
368	North Adams normal school boarding hall, a sum not exceeding twenty-four thousand dollars	24,000 00	
369	Salem normal school, a sum not exceeding one hundred thirteen thousand seven hundred dollars	113,700 00	Salem normal school.
370	Westfield normal school, a sum not exceeding seventy-eight thousand one hundred and fifty dollars	78,150 00	Westfield normal school.
371	Westfield normal school boarding hall, a sum not exceeding ten thousand six hundred dollars	10,600 00	
372	Worcester normal school, a sum not exceeding ninety-nine thousand three hundred and fifty dollars	99,350 00	Worcester normal school.
373	Worcester normal school boarding hall, a sum not exceeding eighty-five hundred dollars	8,500 00	
374	For completing and furnishing the new normal school building in the city of Worcester, a sum not exceeding two hundred fifteen thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose	215,000 00	
375	Massachusetts School of Art, a sum not exceeding one hundred twenty-nine thousand five hundred and fifty dollars	129,550 00	Massachusetts School of Art.
	Total	$1,653,500 00	
	Textile Schools:		
376	For the maintenance of the Bradford Durfee textile school of Fall River, a sum not exceeding seventy-three thousand three hundred dollars, of which sum ten thousand dollars is to be contributed by the city of Fall River, and the city of Fall River is hereby authorized to raise by taxation the said sum of ten thousand dollars	$73,300 00	Bradford Durfee textile school of Fall River.

	Item		
Lowell textile institute.	377	For the maintenance of the Lowell textile institute, a sum not exceeding one hundred seventy-four thousand seven hundred dollars, of which sum ten thousand dollars is to be contributed by the city of Lowell, and the city of Lowell is hereby authorized to raise by taxation the said sum of ten thousand dollars	$174,700 00
New Bedford textile school.	378	For the maintenance of the New Bedford textile school, a sum not exceeding seventy-two thousand seven hundred dollars, of which sum ten thousand dollars is to be contributed by the city of New Bedford, and the city of New Bedford is hereby authorized to raise by taxation the said sum of ten thousand dollars	72,700 00
		Total	$320,700 00
		Massachusetts Agricultural College:	
Massachusetts Agricultural College.	379	For maintenance and current expenses, a sum not exceeding one million forty-five thousand four hundred and sixty dollars	$1,045,460 00
	380	For an emergency fund to meet the needs of harvesting big crops or other unforeseen conditions, which clearly indicate that additional revenue will be produced to equal the expenditure, a sum not exceeding five thousand dollars, provided, however, that this appropriation be available only after approval of particular projects covered by it has been obtained from the governor and council	5,000 00
	381	For expense of making certain changes and improvements in the drill hall, a sum not exceeding four thousand dollars	4,000 00
	382	For the purchase and installation of an automatic stoker, a sum not exceeding three thousand dollars	3,000 00
		Item 380 of chapter 115 of the acts of 1930 — for the expense of remodeling North College dormitory — is hereby made available for the purchase of furnishings and equipment.	
		Total	$1,057,460 00
		Service of the Department of Civil Service and Registration.	
		Administration:	
Department of Civil Service and Registration.	383	For personal services of telephone operator for the department, a sum not exceeding twelve hundred and sixty dollars	$1,260 00
		Division of Civil Service:	
Division of Civil Service.	384	For the salaries of the commissioner and associate commissioners, a sum not exceeding nine thousand dollars	$9,000 00
	385	For other personal services of the division, a sum not exceeding one hundred twenty thousand six hundred dollars	120,600 00
	386	For other services and for printing the annual report, and for office supplies and equipment necessary for the administration of the civil service law, a sum not exceeding fifty thousand dollars .	50,000 00
		Total	$179,600 00

Item			
	Division of Registration:		
387	For the salary of the director, a sum not exceeding eighteen hundred dollars	$1,800 00	Division of Registration.
388	For clerical and certain other personal services of the division, a sum not exceeding thirty-six thousand dollars	36,000 00	
389	For services of the division other than personal, printing the annual reports, office supplies and equipment, except as otherwise provided, a sum not exceeding eleven thousand five hundred dollars	11,500 00	
	Total	$49,300 00	
	Board of Registration in Medicine:		
390	For personal services of the members of the board, a sum not exceeding forty-three hundred dollars	$4,300 00	Board of Registration in Medicine.
391	For personal services of members of the board and examiners for the registration of chiropodists, a sum not exceeding six hundred dollars	600 00	
392	For traveling expenses, a sum not exceeding seven hundred and fifty dollars	750 00	
	Total	$5,650 00	
	Board of Dental Examiners:		
393	For personal services of the members of the board and clerical assistance, a sum not exceeding thirty-eight hundred dollars	$3,800 00	Board of Dental Examiners.
394	For traveling expenses, a sum not exceeding one thousand dollars	1,000 00	
395	For travel and other expenses necessary in providing for the enforcement of law relative to the registration of dentists, a sum not exceeding one thousand dollars	1,000 00	
	Total	$5,800 00	
	Board of Registration in Pharmacy:		
396	For personal services of members of the board, a sum not exceeding forty-three hundred dollars	$4,300 00	Board of Registration in Pharmacy.
397	For personal services of agent, a sum not exceeding twenty-four hundred and ninety dollars	2,490 00	
398	For traveling expenses, a sum not exceeding forty-five hundred dollars	4,500 00	
	Total	$11,290 00	
	Board of Registration of Nurses:		
399	For personal services of members of the board, a sum not exceeding twenty-one hundred dollars	$2,100 00	Board of Registration of Nurses.
400	For traveling expenses, a sum not exceeding six hundred dollars	600 00	
	Total	$2,700 00	
	Board of Registration in Embalming:		
401	For personal services of members of the board, a sum not exceeding three hundred dollars	$300 00	Board of Registration in Embalming.
402	For traveling expenses, a sum not exceeding two hundred and fifty dollars	250 00	
	Total	$550 00	

	Item		
		Board of Registration in Optometry:	
Board of Registration in Optometry.	403	For personal services of members of the board, a sum not exceeding nineteen hundred dollars	$1,900 00
	404	For traveling expenses, a sum not exceeding six hundred dollars	600 00
		Total	$2,500 00
		Board of Registration in Veterinary Medicine:	
Board of Registration in Veterinary Medicine.	405	For personal services of the members of the board, a sum not exceeding six hundred dollars	$600 00
	406	For other services, printing the annual report, traveling expenses, office supplies and equipment, a sum not exceeding three hundred dollars	300 00
		Total	$900 00
		State Examiners of Electricians:	
State Examiners of Electricians.	407	For traveling expenses, a sum not exceeding four thousand dollars	$4,000 00
		Board of Registration of Public Accountants:	
Board of Registration of Public Accountants.	408	For personal services of members of the board, a sum not exceeding six hundred and seventy-five dollars	$675 00
	409	For expenses of examinations, including the preparation and marking of papers, and for other expenses, a sum not exceeding twenty-three hundred dollars	2,300 00
		Total	$2,975 00
		State Examiners of Plumbers:	
State Examiners of Plumbers.	410	For personal services of the members of the board, a sum not exceeding eleven hundred dollars	$1,100 00
	411	For traveling expenses, a sum not exceeding two thousand dollars	2,000 00
		Total	$3,100 00
		Service of the Department of Industrial Accidents.	
Department of Industrial Accidents.	412	For personal services of members of the board, a sum not exceeding forty-two thousand five hundred dollars	$42,500 00
	413	For personal services of secretaries, medical adviser, inspectors, clerks and office assistants, a sum not exceeding one hundred thirty thousand five hundred dollars	130,500 00
	414	For expenses of impartial examinations, a sum not exceeding thirty thousand dollars	30,000 00
	415	For traveling expenses, a sum not exceeding ten thousand five hundred dollars	10,500 00
	416	For other services, printing the annual report, necessary office supplies and equipment, a sum not exceeding twelve thousand three hundred dollars	12,300 00
		Total	$225,800 00
		Service of the Department of Labor and Industries.	
Department of Labor and Industries.	417	For the salaries of the commissioner, assistant and associate commissioners, a sum not exceeding twenty thousand five hundred dollars	$20,500 00

Item			
418	For clerical and other assistance to the commissioner, a sum not exceeding fifty-two hundred dollars	$5,200 00	Department of Labor and Industries.
419	For personal services for the inspectional service, a sum not exceeding one hundred thirty-four thousand eight hundred dollars	134,800 00	
420	For personal services for the statistical service, a sum not exceeding forty-seven thousand five hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose	47,500 00	
421	For clerical and other personal services for the operation of free employment offices, a sum not exceeding fifty-nine thousand three hundred dollars	59,300 00	
422	For personal services for the division on necessaries of life, a sum not exceeding twelve thousand dollars	12,000 00	
423	For clerical and other assistance for the board of conciliation and arbitration, a sum not exceeding thirteen thousand dollars	13,000 00	
424	For personal services of investigators, clerks and stenographers for the minimum wage service, a sum not exceeding fifteen thousand dollars	15,000 00	
425	For compensation and expenses of wage boards, a sum not exceeding fifteen hundred dollars	1,500 00	
426	For personal services for the division of standards, a sum not exceeding thirty-two thousand eight hundred and eighty dollars	32,880 00	
427	For traveling expenses of the commissioner, assistant commissioner, associate commissioners and inspectors of labor, and for services other than personal, printing the annual report, rent of district offices, and office supplies and equipment for the inspectional service, a sum not exceeding thirty-four thousand dollars	34,000 00	
428	For services other than personal, printing report and publications, traveling expenses and office supplies and equipment for the statistical service, a sum not exceeding eleven thousand two hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose	11,200 00	
429	For rent, necessary office supplies and equipment for the free employment offices, a sum not exceeding fifteen thousand dollars	15,000 00	
430	For services other than personal, traveling expenses, office supplies and equipment for the division on necessaries of life, a sum not exceeding twenty-five hundred dollars	2,500 00	
431	For other services, printing, traveling expenses and office supplies and equipment for the board of conciliation and arbitration, a sum not exceeding three thousand dollars	3,000 00	
432	For services other than personal, printing, traveling expenses and office supplies and equipment for minimum wage service, a sum not exceeding fifty-three hundred dollars	5,300 00	
433	For other services, printing, traveling expenses and office supplies and equipment for the division of standards, a sum not exceeding eighty-eight hundred dollars	8,800 00	
	Total	$421,480 00	

	Item		
		Massachusetts Industrial Commission:	
Massachusetts Industrial Commission.	434	For personal services, including the employment of experts for services authorized under section nine B of chapter twenty-three of the General Laws, inserted by section one of chapter three hundred and fifty-seven of the acts of nineteen hundred and twenty-nine, a sum not exceeding seventeen thousand dollars	$17,000 00
	435	For other services and expenses, including office supplies and travel, a sum not exceeding nine thousand dollars	9,000 00
		Total	$26,000 00
		Service of the Department of Mental Diseases.	
Department of Mental Diseases.	436	For the salary of the commissioner, a sum not exceeding ten thousand dollars	$10,000 00
	437	For personal services of officers and employees, a sum not exceeding one hundred seventeen thousand five hundred dollars	117,500 00
	438	For transportation and medical examination of state charges under its charge for the present year and previous years, a sum not exceeding fifteen thousand five hundred dollars	15,500 00
	439	For the support of state charges boarded in families under its charge, or temporarily absent under its authority, for the present year and previous years, a sum not exceeding forty-five hundred dollars .	4,500 00
	440	For the support of state charges in the Hospital Cottages for Children, a sum not exceeding seventeen thousand dollars	17,000 00
	441	For other services, including printing the annual report, traveling expenses and office supplies and equipment, a sum not exceeding twenty-four thousand five hundred dollars	24,500 00
		Total	$189,000 00
		Division of Mental Hygiene:	
Division of Mental Hygiene.	442	For the expenses of investigating the nature, causes and results of mental diseases and defects and the publication of the results thereof; and of what further preventive or other measures might be taken and what further expenditures for investigation might be made which would give promise of decreasing the number of persons afflicted with mental diseases or defects; and for making a survey of the feeble-minded within the commonwealth and an estimate of the number requiring hospital or custodial care or training such as the institutions for the feeble-minded are especially equipped to give, a sum not exceeding eighty-four thousand eight hundred and eighty-five dollars, the same to be in addition to any amount heretofore appropriated for the purpose . . .	$84,885 00
		Psychiatric examinations:	
Psychiatric examinations.	443	For services and expenses of psychiatric examinations of prisoners, a sum not exceeding sixty-five thousand dollars	$65,000 00
Institutions under control of Department of Mental Diseases.		For the maintenance of and for certain improvements at the following institutions under the control of the Department of Mental Diseases:	
Metropolitan state hospital.	444	Metropolitan state hospital, a sum not exceeding four hundred twenty-eight thousand four hundred and twenty dollars	$428,420 00

Item			
445	Boston psychopathic hospital, a sum not exceeding two hundred fifty-three thousand one hundred dollars	$253,100 00	Boston psychopathic hospital.
446	Boston state hospital, a sum not exceeding eight hundred forty-one thousand four hundred and eighty dollars	841,480 00	Boston state hospital.
447	For the purchase and erection of fencing for the Boston state hospital, a sum not exceeding fifteen thousand dollars	15,000 00	
448	Danvers state hospital, a sum not exceeding seven hundred thirty-seven thousand four hundred and ninety dollars	737,490 00	Danvers state hospital.
449	For renovating and furnishing what is known as the rear center of the Danvers state hospital, including improvements for kitchen, dining-room, chapel and other facilities, a sum not exceeding one hundred twenty-two thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose	122,000 00	
450	For the purchase and installation of X-ray equipment at the Danvers state hospital, a sum not exceeding four thousand dollars	4,000 00	
451	(This item included in chapter 14, acts of 1931.)		
452	Foxborough state hospital, a sum not exceeding four hundred twelve thousand dollars	412,000 00	Foxborough state hospital.
	Item 448 of chapter 386 of the acts of 1929 — for the purchase of certain power equipment for the Foxborough state hospital — is hereby reappropriated.		
453	For grading at the Foxborough state hospital, a sum not exceeding three thousand dollars	3,000 00	
454	(This item included in chapter 14, acts of 1931.)		
455	For furnishings for the nurses' home at the Foxborough state hospital, a sum not exceeding forty-six hundred dollars	4,600 00	
456	Gardner state colony, a sum not exceeding four hundred seventy-five thousand eight hundred dollars	475,800 00	Gardner state colony.
457	For furnishings for the hospital building at the Gardner state colony, a sum not exceeding ninety-three hundred dollars	9,300 00	
458	Grafton state hospital, a sum not exceeding five hundred sixty-eight thousand four hundred dollars	568,400 00	Grafton state hospital.
459	For the cost of building sun porches on the building known as Pines D at the Grafton state hospital, a sum not exceeding eight thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose	8,000 00	
460	Medfield state hospital, a sum not exceeding six hundred thirty-seven thousand eight hundred and eighty dollars	637,880 00	Medfield state hospital.
	Item 456 of chapter 146 of the acts of 1929 — for the cost of providing additional water supply for the Medfield state hospital — is hereby reappropriated.		
461	For furnishing two officers' cottages at the Medfield state hospital, a sum not exceeding three thousand dollars	3,000 00	
462	Northampton state hospital, a sum not exceeding five hundred twenty-four thousand nine hundred dollars	524,900 00	Northampton state hospital.
463	For the purchase and installation of X-ray and dark room equipment at the Northampton state hospital, a sum not exceeding fifty-one hundred dollars	5,100 00	

	Item		
Northampton state hospital.	464	For furnishings for Ward C at the Northampton state hospital, a sum not exceeding seventeen thousand five hundred dollars	$17,500 00
Taunton state hospital.	465	Taunton state hospital, a sum not exceeding five hundred seventy-four thousand nine hundred and twenty dollars	574,920 00
	466	For the purchase and installation of sprinklers at the Taunton state hospital, a sum not exceeding eight thousand dollars	8,000 00
	467	(This item included in chapter 14, acts of 1931.)	
	468	For furnishings for cottage at the Taunton state hospital, a sum not exceeding fifteen hundred dollars	1,500 00
Westborough state hospital.	469	Westborough state hospital, a sum not exceeding five hundred thirty-five thousand one hundred and forty dollars	535,140 00
	470	For the purchase of a flat-work ironer for the Westborough state hospital, a sum not exceeding seventy-eight hundred dollars	7,800 00
	471	For the cost of making improvements in the power house at the Westborough state hospital, a sum not exceeding forty-seven hundred dollars	4,700 00
Worcester state hospital.	472	Worcester state hospital, a sum not exceeding eight hundred twenty-six thousand one hundred and twenty dollars	826,120 00
	473	For the cost of renovating the heating system at the Worcester state hospital, a sum not exceeding twelve thousand dollars	12,000 00
	474	For furnishings for officers' cottages at the Worcester state hospital, a sum not exceeding three thousand dollars	3,000 00
Monson state hospital.	475	Monson state hospital, a sum not exceeding five hundred ten thousand one hundred and fifty dollars	510,150 00
	476	For furnishings for the reception building and nurses' home at the Monson state hospital, a sum not exceeding seventeen thousand five hundred dollars	17,500 00
Belchertown state school.	477	Belchertown state school, a sum not exceeding four hundred forty-seven thousand two hundred and thirty dollars	447,230 00
	478	For the construction of walks and certain grading at the Belchertown state school, a sum not exceeding five thousand dollars	5,000 00
Walter E. Fernald state school.	479	Walter E. Fernald state school, a sum not exceeding six hundred forty-six thousand nine hundred and forty dollars	646,940 00
	480	For extending the hot water lines at the Walter E. Fernald state school, a sum not exceeding five thousand dollars	5,000 00
	481	For the purchase and installation of sprinklers at the Walter E. Fernald state school, a sum not exceeding twenty-eight hundred dollars	2,800 00
Wrentham state school.	482	Wrentham state school, a sum not exceeding five hundred forty-eight thousand dollars	548,000 00
		Item 494a of chapter 386 of the acts of 1929 — for the purchase of certain power equipment for the Wrentham state school — is hereby reappropriated.	
		Total	$8,798,350 00

Service of the Department of Correction.

Department of Correction.	483	For the salary of the commissioner, a sum not exceeding six thousand dollars	$6,000 00
	484	For personal services of deputies, members of the board of parole and advisory board of pardons, agents, clerks and stenographers, a sum not exceeding ninety-four thousand eight hundred and fifteen dollars	94,815 00

Item			
485	For services other than personal, including printing the annual report, necessary office supplies and equipment, a sum not exceeding ninety-eight hundred and seventy-five dollars	$9,875 00	Department of Correction.
486	For traveling expenses of officers and employees of the department when required to travel in the discharge of their duties, a sum not exceeding sixteen thousand one hundred and twenty-five dollars	16,125 00	
487	For the removal of prisoners, to and from state institutions, a sum not exceeding nine thousand dollars	9,000 00	
488	For assistance to discharged prisoners, a sum not exceeding one thousand dollars . . .	1,000 00	
489	For the expense of the service of what is known as the central index, a sum not exceeding one thousand dollars	1,000 00	
	Total	$137,815 00	
	Division of Research for the Prevention of Crime:		
490	For expenses of the division hereby established, a sum not exceeding ten thousand dollars; provided, that the persons employed hereunder shall not be subject to civil service laws or the rules and regulations made thereunder	$10,000 00	Division of Research for Prevention of Crime.
	For the maintenance of and for certain improvements at the following institutions under the control of the Department of Correction:		Institutions under control of Department of Correction.
491	State farm, a sum not exceeding six hundred ninety-three thousand seven hundred and ninety dollars	$693,790 00	State farm.
492	For the purchase and installation of ovens and bakery equipment at the state farm, a sum not exceeding nine thousand dollars	9,000 00	
493	State prison, a sum not exceeding four hundred thirty-four thousand four hundred and fifty dollars, including four hundred ninety-seven dollars and fifteen cents to reimburse John J. Jordan, an employee at the prison, for medical attendance after an injury received at the foundry, five dollars for medical attendance to Raoul A. Guimond, and twelve dollars for the loss of clothing belonging to Louis J. Bolyea	434,450 00	State prison.
494	Massachusetts reformatory, a sum not exceeding four hundred fifty-one thousand nine hundred dollars	451,900 00	Massachusetts reformatory.
495	For the purchase of what is known as Peirce Farm for the Massachusetts reformatory, a sum not exceeding twenty thousand five hundred dollars	20,500 00	
496	For the purchase and installation of certain electrical equipment at the Massachusetts reformatory, a sum not exceeding six thousand dollars . .	6,000 00	
497	Prison camp and hospital, a sum not exceeding seventy-two thousand seven hundred and eighty dollars	72,780 00	Prison camp and hospital.
498	Reformatory for women, a sum not exceeding one hundred seventy-three thousand six hundred and twenty dollars	173,620 00	Reformatory for women.
499	For the town of Framingham, according to a contract for sewage disposal at the reformatory for women, the sum of six hundred dollars . .	600 00	
500	For the installation of certain equipment for refrigeration and for the construction of a pump house and greenhouse at the reformatory for women, a sum not exceeding twelve thousand five hundred dollars	12,500 00	

	Item		
State prison colony.	501	State prison colony, a sum not exceeding two hundred thousand nine hundred and twenty-five dollars, including reimbursement for clothing and other property lost in a recent fire . . .	$200,925 00
	502	(This item omitted.)	
		Total	$2,076,065 00
		Service of the Department of Public Welfare.	
		Administration:	
Department of Public Welfare.	503	For the salary of the commissioner, a sum not exceeding seven thousand dollars	$7,000 00
Administration.	504	For personal services of officers and employees and supervision of homesteads and planning boards, a sum not exceeding forty-seven thousand seven hundred dollars	47,700 00
	505	For services other than personal, printing the annual report, traveling expenses, including expenses of auxiliary visitors, office supplies and expenses, and contingent expenses for the supervision of homesteads and planning boards, a sum not exceeding eighty-four hundred dollars . . .	8,400 00
		Total	$63,100 00
		Division of Aid and Relief:	
Division of Aid and Relief.	506	For personal services of officers and employees, a sum not exceeding one hundred twenty-seven thousand dollars	$127,000 00
	507	For services other than personal, including traveling expenses and office supplies and equipment, a sum not exceeding twenty-two thousand dollars .	22,000 00
		The following items are for reimbursement of cities and towns for expenses of the present year and previous years, and are to be in addition to any amounts heretofore appropriated for the purpose:	
Reimbursement of cities and towns for payment of certain aid, etc.	508	For the payment of suitable aid to mothers with dependent children, a sum not exceeding eight hundred eighty thousand dollars . . .	880,000 00
	509	For the burial by cities and towns of indigent persons who have no legal settlement, a sum not exceeding seven thousand dollars . . .	7,000 00
	510	For expenses in connection with smallpox and other diseases dangerous to the public health, a sum not exceeding one hundred seven thousand dollars .	107,000 00
	511	For the support of sick indigent persons who have no legal settlement and for cases of wife settlement, a sum not exceeding one hundred thousand dollars	100,000 00
	512	For temporary aid given to indigent persons with no legal settlement, and to shipwrecked seamen by cities and towns, and for the transportation of indigent persons under the charge of the department, a sum not exceeding one million three hundred thousand dollars	1,300,000 00
		Old age assistance:	
Old age assistance.	513	For personal services required for the administration of old age assistance provided by chapter one hundred and eighteen A of the General Laws, inserted by section one of chapter four hundred and two of the acts of nineteen hundred and thirty, a sum not exceeding forty-five thousand dollars	45,000 00

Item			
514	For other expenses, including rent, travel, office supplies and other necessary expenses, required for the administration of old age assistance provided by chapter one hundred and eighteen A of the General Laws, inserted by section one of chapter four hundred and two of the acts of nineteen hundred and thirty, a sum not exceeding eighteen thousand dollars	$18,000 00	Old age assistance.
	Total	$2,606,000 00	
	Division of Child Guardianship:		
515	For personal services of officers and employees, a sum not exceeding one hundred ninety-nine thousand five hundred dollars	$199,500 00	Division of Child Guardianship.
516	For services other than personal, office supplies and equipment, a sum not exceeding forty-two hundred dollars	4,200 00	
517	For tuition in the public schools, including transportation to and from school, of children boarded by the department, for the present and previous years, a sum not exceeding two hundred ten thousand dollars	210,000 00	
518	For the care and maintenance of children, for the present and previous years, a sum not exceeding one million three hundred ten thousand dollars	1,310,000 00	
	Total	$1,723,700 00	
	Division of Juvenile Training, Trustees of Massachusetts Training Schools:		
519	For services of the secretary and certain other persons employed in the executive office, a sum not exceeding fourteen thousand eight hundred dollars	$14,800 00	Division of Juvenile Training, Trustees of Massachusetts Training Schools.
520	For services other than personal, including printing the annual report, traveling and other expenses of the members of the board and employees, office supplies and equipment, a sum not exceeding thirty-seven hundred dollars	3,700 00	
	Boys' Parole:		
521	For personal services of agents in the division for boys paroled and boarded in families, a sum not exceeding forty thousand three hundred and twenty dollars	40,320 00	Boys' Parole.
522	For services other than personal, including traveling expenses of the agents and boys, and necessary office supplies and equipment, a sum not exceeding twenty-two thousand four hundred dollars .	22,400 00	
523	For board, clothing, medical and other expenses incidental to the care of boys, a sum not exceeding twenty-five thousand dollars	25,000 00	
	Girls' Parole:		
524	For personal services of agents in the division for girls paroled from the industrial school for girls, a sum not exceeding thirty-two thousand two hundred dollars	32,200 00	Girls' Parole.
525	For traveling expenses of said agents for girls paroled, for board, medical and other care of girls, and for services other than personal, office supplies and equipment, a sum not exceeding sixteen thousand seven hundred and fifty dollars . .	16,750 00	

	Item		
		Tuition of children:	
Tuition of children.	526	For reimbursement of cities and towns for tuition of children attending the public schools, a sum not exceeding seventy-five hundred dollars	$7,500 00
		Total	$162,670 00
Institutions under control of Massachusetts training schools.		For the maintenance of and for certain improvements at the institutions under the control of the trustees of the Massachusetts training schools, with the approval of said trustees, as follows:	
Industrial school for boys.	527	Industrial school for boys, a sum not exceeding one hundred sixty thousand one hundred dollars	$160,100 00
Industrial school for girls.	528	Industrial school for girls, a sum not exceeding one hundred fifty thousand seven hundred dollars	150,700 00
Lyman school for boys.	529	Lyman school for boys, a sum not exceeding two hundred forty-one thousand dollars	241,000 00
	530	For completing and furnishing the assembly and chapel building at the Lyman school for boys, a sum not exceeding ten thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose	10,000 00
	531	For completing and furnishing a brick cottage at the Lyman school for boys, a sum not exceeding seven thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose	7,000 00
		Total	$568,800 00
		Massachusetts Hospital School:	
Massachusetts Hospital School.	532	For the maintenance of the Massachusetts hospital school, to be expended with the approval of the trustees thereof, a sum not exceeding one hundred ninety-eight thousand five hundred and sixty dollars	$198,560 00
		State Infirmary:	
State Infirmary.	533	For the maintenance of the state infirmary, to be expended with the approval of the trustees thereof, a sum not exceeding one million ninety-three thousand nine hundred dollars	$1,093,900 00
	534	For the purchase of certain land to protect the source of water supply, a sum not exceeding two thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose	2,000 00
	535	For the expense of improving walks and driveways, a sum not exceeding four thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose	4,000 00
	536	For the cost of building a new roof on the boiler house, a sum not exceeding sixty-two hundred and fifty dollars	6,250 00
		Item 589 of chapter 115 of the acts of 1930 — for completing the building to be used as a maternity ward — is hereby made available for the purchase of equipment and furnishings.	
		Item 590 of chapter 115 of the acts of 1930 — for the construction of an addition to the men's hospital — is hereby made available for the purchase of equipment and furnishings.	
		Item 592 of chapter 115 of the acts of 1930 — for the construction of a building for industries — is hereby made available for the purchase of equipment.	
		Total	$1,106,150 00

Service of the Department of Public Health.

Item			
	Administration:		Department of Public Health. Administration.
537	For the salary of the commissioner, a sum not exceeding seventy-five hundred dollars . . .	$7,500 00	
538	For personal services of the health council and office assistants, a sum not exceeding twenty thousand one hundred dollars	20,100 00	
539	For services other than personal, including printing the annual report, traveling expenses, office supplies and equipment, a sum not exceeding fourteen thousand eight hundred dollars . . .	14,800 00	
	Service of Adult Hygiene (cancer):		Service of Adult Hygiene (cancer).
540	For personal services of the division, including cancer clinics, a sum not exceeding forty-three thousand seven hundred dollars	43,700 00	
541	For other expenses of the division, including cancer clinics, a sum not exceeding forty thousand dollars	40,000 00	
	Service of Child Hygiene:		Service of Child Hygiene.
542	For personal services of the director and assistants, a sum not exceeding thirty-eight thousand seven hundred and fifty dollars	38,750 00	
543	For services other than personal, traveling expenses, office supplies and equipment, a sum not exceeding twenty-one thousand dollars . . .	21,000 00	
	Service of Maternal and Child Hygiene:		Service of Maternal and Child Hygiene.
544	For personal services for extending the activities of the division in the protection of mothers and conservation of the welfare of children, a sum not exceeding twenty-one thousand eight hundred dollars	21,800 00	
545	For other expenses for extending the activities of the division in the protection of mothers and conservation of the welfare of children, a sum not exceeding fourteen thousand nine hundred dollars	14,900 00	
	Division of Communicable Diseases:		Division of Communicable Diseases.
546	For personal services of the director, district health officers and their assistants, epidemiologists, bacteriologist and assistants in the diagnostic laboratory, a sum not exceeding seventy-four thousand five hundred dollars	74,500 00	
547	For services other than personal, traveling expenses, laboratory, office and other necessary supplies, including the purchase of animals and equipment, and rent of certain offices, a sum not exceeding twenty thousand five hundred dollars . .	20,500 00	
	Venereal Diseases:		Venereal Diseases.
548	For personal services for the control of venereal diseases, a sum not exceeding thirteen thousand eight hundred dollars	13,800 00	
549	For services other than personal, traveling expenses, office supplies and equipment, a sum not exceeding thirty thousand dollars	30,000 00	
	Wassermann Laboratory:		Wassermann Laboratory.
550	For personal services of the Wassermann laboratory, a sum not exceeding sixteen thousand six hundred dollars	16,600 00	
551	For expenses of the Wassermann laboratory, a sum not exceeding fifty-two hundred dollars . .	5,200 00	

	Item		
		Antitoxin and Vaccine Laboratories:	
Antitoxin and Vaccine Laboratories.	552	For personal services in the investigation and production of antitoxin and vaccine lymph and other specific material for protective inoculation and diagnosis of treatment, a sum not exceeding seventy-one thousand dollars	$71,000 00
	553	For other services, supplies, materials and equipment necessary for the production of antitoxin and other materials as enumerated above, a sum not exceeding forty-two thousand five hundred dollars	42,500 00
		Inspection of Food and Drugs:	
Inspection of Food and Drugs.	554	For personal services of the director, analysts, inspectors and other assistants, a sum not exceeding fifty-four thousand two hundred dollars . .	54,200 00
	555	For other services, including traveling expenses, supplies, materials and equipment, a sum not exceeding fourteen thousand dollars . . .	14,000 00
		Shellfish Enforcement Law:	
Shellfish Enforcement Law.	556	For personal services for administering the law relative to shellfish, a sum not exceeding twenty-two hundred and eighty dollars . . .	2,280 00
	557	For other expenses for administering the law relative to shellfish, a sum not exceeding twelve hundred dollars	1,200 00
		Water Supply and Disposal of Sewage, Engineering Division:	
Water Supply and Disposal of Sewage, Engineering Division.	558	For personal services of the director, engineers, clerks and other assistants, a sum not exceeding seventy-one thousand dollars	71,000 00
	559	For other services, including traveling expenses, supplies, materials and equipment, a sum not exceeding twenty-two thousand dollars . .	22,000 00
		Water Supply and Disposal of Sewage, Division of Laboratories:	
Water Supply and Disposal of Sewage, Division of Laboratories.	560	For personal services of laboratory director, chemists, clerks and other assistants, a sum not exceeding forty-four thousand dollars . . .	44,000 00
	561	For other services, including traveling expenses, supplies, materials and equipment, a sum not exceeding eight thousand dollars . . .	8,000 00
		Total	$713,330 00
		Division of Tuberculosis:	
Division of Tuberculosis.	562	For personal services of the director, stenographers, clerks and other assistants, a sum not exceeding forty-one thousand dollars	$41,000 00
	563	For services other than personal, including printing the annual report, traveling expenses and office supplies and equipment, a sum not exceeding ninety-two hundred dollars	9,200 00
	564	To cover the payment of certain subsidies for the maintenance of hospitals for tubercular patients, a sum not exceeding two hundred eighty thousand dollars	280,000 00
	565	For personal services for certain children's clinics for tuberculosis, a sum not exceeding sixty thousand dollars	60,000 00

Item			
566	For other services for certain children's clinics for tuberculosis, a sum not exceeding thirty-five thousand six hundred dollars	$35,600 00	Division of Tuberculosis.
	Total	$425,800 00	
	For the maintenance of and for certain improvements at the sanatoria, as follows:		
567	Lakeville state sanatorium, a sum not exceeding two hundred ninety-five thousand eight hundred and fifty dollars	$295,850 00	Lakeville state sanatorium.
568	North Reading state sanatorium, a sum not exceeding two hundred fifty thousand nine hundred dollars	250,900 00	North Reading state sanatorium.
569	For improvements in the water supply and for additional fire protection at the North Reading state sanatorium, a sum not exceeding fifty-seven hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose	5,700 00	
570	(This item omitted.)		
	Item 590 of chapter 146 of the acts of 1929 — for the construction and furnishing of an admission and isolation building at the North Reading state sanatorium — is hereby reappropriated.		
571	Rutland state sanatorium, a sum not exceeding three hundred thirty-six thousand six hundred dollars .	336,600 00	Rutland state sanatorium.
572	(This item omitted.)		
573	For the purchase and installation of electrical equipment for the Rutland state sanatorium, a sum not exceeding seven thousand dollars . .	7,000 00	
	Item 594 of chapter 146 of the acts of 1929 — for improving the water supply system and installing additional sprinkler heads at the Rutland state sanatorium — is hereby reappropriated.		
574	Westfield state sanatorium, a sum not exceeding two hundred sixty-five thousand four hundred and ninety dollars	265,490 00	Westfield state sanatorium.
575	For improving the water supply and for additional fire protection at the Westfield state sanatorium, a sum not exceeding five thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose	5,000 00	
576	For the purchase and installation of X-ray and other equipment at the Westfield state sanatorium, a sum not exceeding six thousand dollars . .	6,000 00	
	Item 649 of chapter 115 of the acts of 1930 — for alterations to administration building at the Westfield state sanatorium — is hereby made available for the purchase of equipment and furnishings.		
	Total	$1,172,540 00	
	Pondville Cancer Hospital:		
577	For maintenance of the Pondville cancer hospital, a sum not exceeding two hundred forty-five thousand and fifty dollars	$245,050 00	Pondville Cancer Hospital.
	Service of the Department of Public Safety.		
	Administration:		
578	For the salary of the commissioner, a sum not exceeding six thousand dollars	$6,000 00	Department of Public Safety.
579	For personal services of clerks and stenographers, a sum not exceeding seventy-six thousand five hundred and ten dollars	76,510 00	Administration.

	Item		
Department of Public Safety. Administration.	580	For contingent expenses, including printing the annual report, rent of district offices, supplies and equipment, and all other things necessary for the investigation of fires and moving picture licenses, as required by law, and for expenses of administering the law regulating the sale and resale of tickets to theatres and other places of public amusement by the department of public safety, a sum not exceeding sixty-seven thousand six hundred and fifty dollars	$67,650 00
	581	For the purchase and installation of electrical equipment for broadcasting and receiving purposes, a sum not exceeding twenty-five thousand dollars	25,000 00
		Division of State Police:	
Division of State Police.	582	For the salaries of officers, including detectives, a sum not exceeding four hundred ten thousand dollars, of which sum not more than one hundred forty-nine thousand dollars may be charged to the Highway Fund	410,000 00
	583	For personal services of civilian employees, a sum not exceeding sixty-two thousand seven hundred dollars	62,700 00
	584	For other necessary expenses of the uniformed division, a sum not exceeding three hundred seventy-two thousand dollars, of which sum not more than one hundred forty-eight thousand seven hundred and thirty dollars may be charged to the Highway Fund	372,000 00
	585	For expenses of what is known as teletype service, a sum not exceeding sixty-five hundred dollars .	6,500 00
	586	For traveling expenses of detectives, a sum not exceeding nineteen thousand dollars . . .	19,000 00
	587	For maintenance and operation of the police steamer, a sum not exceeding fourteen thousand dollars .	14,000 00
	588	For personal services, rent, supplies and equipment necessary in the enforcement of provisions of law relative to explosives and inflammable fluids and compounds, a sum not exceeding fifteen thousand five hundred dollars	15,500 00
		Division of Inspections:	
Division of Inspections.	589	For the salary of the chief of inspections, a sum not exceeding four thousand dollars . . .	4,000 00
	590	For the salaries of officers for the building inspection service, a sum not exceeding fifty-five thousand and seventy-five dollars	55,075 00
	591	For traveling expenses of officers for the building inspection service, a sum not exceeding sixteen thousand and twenty dollars	16,020 00
	592	For the salaries of officers for the boiler inspection service, a sum not exceeding sixty-seven thousand and twenty dollars	67,020 00
	593	For traveling expenses of officers for the boiler inspection service, a sum not exceeding twenty-three thousand dollars	23,000 00
	594	For services, supplies and equipment necessary for investigations and inspections by the division, a sum not exceeding one thousand dollars . .	1,000 00
		Board of Elevator Regulations:	
Board of Elevator Regulations.	595	For expenses of the board, a sum not exceeding one hundred and fifty dollars	150 00

Item			
	Board of Boiler Rules:		
596	For personal services of members of the board, a sum not exceeding one thousand dollars . .	$1,000 00	Board of Boiler Rules.
597	For services other than personal and the necessary traveling expenses of the board, office supplies and equipment, a sum not exceeding five hundred dollars	500 00	
	Total	$1,242,625 00	
	Fire Prevention District Service:		
598	For the salary of the state fire marshal, a sum not exceeding four thousand dollars . . .	$4,000 00	Fire Prevention District Service.
599	For personal services of fire inspectors and others, a sum not exceeding forty-three thousand seven hundred dollars	43,700 00	
600	For traveling expenses of fire inspectors, a sum not exceeding twenty-one thousand dollars . .	21,000 00	
601	For other services, office rent and necessary office supplies and equipment, a sum not exceeding seven thousand dollars	7,000 00	
	Total	$75,700 00	
	State Boxing Commission:		
602	For compensation and clerical assistance for the state boxing commission, a sum not exceeding thirteen thousand nine hundred dollars . .	$13,900 00	State Boxing Commission.
603	For other expenses of the commission, a sum not exceeding fourteen thousand dollars . . .	14,000 00	
	Total	$27,900 00	
	Service of the Department of Public Works.		
	The appropriations made in the following three items are to be paid two thirds from the Highway Fund and one third from the Port of Boston receipts:		
604	For the salaries of the commissioner and the associate commissioners, a sum not exceeding nineteen thousand five hundred dollars	$19,500 00	Department of Public Works.
605	For personal services of clerks and assistants to the commissioner, a sum not exceeding ninety-one hundred and forty dollars	9,140 00	
606	For traveling expenses of the commissioners, a sum not exceeding three thousand dollars . . .	3,000 00	
	Total	$31,640 00	
	Functions of the department relating to highways (the following appropriations, except as otherwise provided, are made from the Highway Fund):		
607	For the personal services of the chief engineer, engineers and office assistants, including certain clerks and stenographers, a sum not exceeding eighty-nine thousand dollars	$89,000 00	Highways.
608	For services other than personal, including printing pamphlet of laws and the annual report, and necessary office supplies and equipment, a sum not exceeding eleven thousand dollars . .	11,000 00	
609	For the suppression of gypsy and brown tail moths on state highways, a sum not exceeding thirteen thousand dollars	13,000 00	

	Item		
Highways.	610	For the construction and repair of town and county ways, a sum not exceeding two million five hundred thousand dollars	$2,500,000 00
	611	For aiding towns in the repair and improvement of public ways, a sum not exceeding one million one hundred seventy-five thousand dollars . .	1,175,000 00
	611a	For payments to the cities and certain towns of the commonwealth, as authorized by section seven of chapter one hundred and twenty-two of the acts of the present year, a sum not exceeding two million five hundred thousand dollars . .	2,500,000 00
	612	For the maintenance and repair of state highways, including care of snow on highways, expenses of traffic signs and lights, and payment of damages caused by defects in state highways, with the approval of the attorney general, and for care and repair of road-building machinery, a sum not exceeding five million two hundred thousand dollars	5,200,000 00
	613	For the purpose of enabling the department of public works to secure federal aid for the construction of highways, a sum not exceeding two million four hundred eighty thousand dollars . . .	2,480,000 00
	614	For administering the law relative to advertising signs near highways, a sum not exceeding seventeen thousand dollars, to be paid from the General Fund	17,000 00
	615	For expenses of studies and for necessary payments during this fiscal year on account of any of the first twenty-one projects for the abolition of grade crossings contained in the program approved by the department of public utilities, as authorized by sections sixty-five to eighty, inclusive, of chapter one hundred and fifty-nine of the General Laws, as amended, a sum not exceeding seven hundred thousand dollars; and in addition thereto the sum of three hundred nineteen thousand one hundred thirteen dollars and thirty-four cents now in the treasury from the proceeds of the last issue of bonds by the commonwealth for the abolition of grade crossings is hereby made available for expenditures authorized by said sections with the approval of the department of public works; and any unexpended balance remaining at the end of the current fiscal year may be used in the succeeding year	700,000 00
		Total	$14,685,000 00
		Registration of Motor Vehicles:	
Registration of Motor Vehicles.	616	For personal services, a sum not exceeding nine hundred fifty thousand dollars, of which sum ten thousand dollars may be charged to the General Fund, and the remainder shall be paid from the Highway Fund	$950,000 00
	617	For services other than personal, including traveling expenses, purchase of necessary supplies and materials, including cartage and storage of the same, and for work incidental to the registration and licensing of owners and operators of motor vehicles, a sum not exceeding six hundred twenty-nine thousand dollars, to be paid from the Highway Fund	629,000 00
	618	For printing and other expenses necessary in connection with publicity for certain safety work, a sum not exceeding twenty-five hundred dollars, to be paid from the Highway Fund . . .	2,500 00

Item			
619	For expenses of an investigation to provide measures for safety on the highways and for the reduction of accidents, a sum not exceeding twenty thousand dollars, to be paid from the Highway Fund	$20,000 00	Registration of Motor Vehicles.
	Total	$1,601,500 00	
	Special:		
620	For expenditures by the department of public works, as authorized by chapter four hundred and twenty of the acts of nineteen hundred and thirty, a sum not exceeding one million two hundred and seventy-five thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose and to be paid from the Highway Fund	$1,275,000 00	Special.
	Functions of the department relating to waterways and public lands:		
621	For personal services of the chief engineer and assistants, a sum not exceeding fifty-two thousand dollars	$52,000 00	Department relating to waterways and public lands.
622	For services other than personal, including printing pamphlet of laws and the annual report, and for necessary office and engineering supplies and equipment, a sum not exceeding twenty-five hundred dollars	2,500 00	
623	For the care and maintenance of the province lands and of the lands acquired and structures erected by the Provincetown tercentenary commission, a sum not exceeding five thousand dollars . .	5,000 00	
624	For the maintenance of structures, and for repairing damages along the coast line or river banks of the commonwealth, and for the removal of wrecks and other obstructions from tide waters and great ponds, a sum not exceeding thirty thousand dollars	30,000 00	
625	For the improvement, development and protection of rivers and harbors, tide waters and foreshores within the commonwealth, as authorized by section eleven of chapter ninety-one of the General Laws, and of great ponds, a sum not exceeding one hundred seventy-five thousand dollars, and any unexpended balance of the appropriation remaining at the end of the current fiscal year for the same purposes; provided, that all expenditures made for the protection of shores shall be upon condition that at least fifty per cent of the cost is covered by contributions from municipalities or other organizations and individuals, and that in the case of dredging channels for harbor improvements at least twenty-five per cent of the cost shall be so covered	175,000 00	
626	For re-establishing and permanently marking certain triangulation points and sections, as required by order of the land court in accordance with section thirty-three of chapter ninety-one of the General Laws, as amended, a sum not exceeding one thousand dollars	1,000 00	
627	For expenses of surveying certain town boundaries, by the department of public works, a sum not exceeding five hundred dollars	500 00	
628	For the supervision and operation of commonwealth pier five, including the salaries or other compensation of employees, and for the repair and replacement of equipment and other property, a sum not exceeding one hundred twelve thousand dollars, to be paid from the Port of Boston receipts	112,000 00	

	Item		
Department relating to waterways and public lands.	629	For the maintenance of pier one, at East Boston, a sum not exceeding eight thousand dollars, to be paid from the Port of Boston receipts . .	$8,000 00
	630	For the maintenance and improvement of commonwealth property under the control of the department in connection with its functions relating to waterways and public lands, a sum not exceeding one hundred thousand dollars, to be paid from the Port of Boston receipts	100,000 00
	631	For the operation and maintenance of the New Bedford state pier, a sum not exceeding four thousand dollars	4,000 00
	632	For the compensation of dumping inspectors, a sum not exceeding three thousand dollars . . .	3,000 00
	633	For continuing the work in gauging the flow of water in the streams of the commonwealth, a sum not exceeding five thousand dollars . . .	5,000 00
		Total	$498,000 00
		Specials:	
Specials.	634	For dredging channels and filling flats, a sum not exceeding one hundred ten thousand dollars, to be paid from the Port of Boston receipts and to be in addition to any amount heretofore appropriated for the purpose	$110,000 00
	635	For the maintenance and repair of certain property in the town of Plymouth, a sum not exceeding four thousand dollars	4,000 00
	636	For the construction of railroads and piers and for the development of land at South Boston and East Boston, a sum not exceeding twenty thousand dollars, to be paid from the Port of Boston receipts and to be in addition to any amount heretofore appropriated for the purpose . . .	20,000 00
	637	For the purchase of certain land formerly owned by the commonwealth, a sum not exceeding twenty thousand dollars, to be paid from the Port of Boston receipts	20,000 00
	638	For the expense of work authorized by chapter four hundred and five of the acts of nineteen hundred and thirty, a sum not exceeding seventy thousand dollars	70,000 00
		Total	$224,000 00
		Service of the Department of Public Utilities.	
Department of Public Utilities.	639	For personal services of the commissioners, a sum not exceeding thirty-six thousand dollars, of which sum one half shall be assessed upon the gas and electric companies in accordance with existing provisions of law	$36,000 00
	640	For personal services of secretaries, employees of the accounting department, engineering department and rate and tariff department, a sum not exceeding thirty-one thousand seven hundred dollars, of which sum thirteen thousand two hundred and seventy dollars shall be assessed upon the gas and electric companies in accordance with existing provisions of law	31,700 00
	641	For personal services of the inspection department, a sum not exceeding forty-two thousand two hundred and fifty dollars	42,250 00

Item			
642	For personal services of clerks, messengers and office assistants, a sum not exceeding twelve thousand six hundred and thirty dollars, of which sum one half shall be assessed upon the gas and electric companies in accordance with existing provisions of law	$12,630 00	Department of Public Utilities.
643	For personal services of the telephone and telegraph division, a sum not exceeding thirteen thousand nine hundred dollars	13,900 00	
644	For personal services and expenses of special investigations, including legal assistants as needed, a sum not exceeding ten thousand dollars, provided that in case of emergency this sum may be made available for expenses in the service of gas and electric companies	10,000 00	
645	For stenographic reports of hearings, a sum not exceeding thirty-five hundred dollars	3,500 00	
646	For traveling expenses of the commissioners and employees, a sum not exceeding seventy-three hundred dollars	7,300 00	
647	For services other than personal, printing the annual report, office supplies and equipment, a sum not exceeding five thousand dollars	5,000 00	
648	For stenographic reports of evidence at inquests held in cases of death by accident on or about railroads, a sum not exceeding twenty-five hundred dollars	2,500 00	
	Total	$164,780 00	
	The following six items are to be assessed upon the gas and electric companies:		
649	For personal services of the division of inspection of gas and gas meters, a sum not exceeding twenty-four thousand four hundred dollars	$24,400 00	Items to be assessed upon gas and electric companies.
650	For expenses of the division of inspection of gas and gas meters, including office rent, traveling and other necessary expenses of inspection, a sum not exceeding seventy-four hundred dollars	7,400 00	
651	For services and expenses of expert assistants, as authorized by law, a sum not exceeding five hundred dollars	500 00	
652	For other services, printing the annual report, for rent of offices and for necessary office supplies and equipment, a sum not exceeding ten thousand five hundred dollars	10,500 00	
653	For the examination and tests of electric meters, a sum not exceeding six hundred dollars	600 00	
654	For expenses of the department of public utilities incurred in the performance of its functions relative to gas, electric and water companies and municipal lighting plants, a sum not exceeding twenty-five thousand dollars	25,000 00	
	Total	$68,400 00	
	Division of Smoke Inspection: The following items are to be assessed upon the cities and towns comprising the district defined by chapter 651 of the acts of 1910, and acts in amendment thereof or in addition thereto:		
655	For personal services of the division, a sum not exceeding forty-one thousand dollars	$41,000 00	Smoke Inspection.
656	For other services, printing the annual report, rent of offices, travel, and necessary office supplies and equipment, a sum not exceeding twenty-one thousand dollars	21,000 00	
	Total	$62,000 00	

	Item		
		Sale of Securities:	
Sale of Securities.	657	For personal services in administering the law relative to the sale of securities, a sum not exceeding thirty-nine thousand seven hundred and fifty-five dollars	$39,755 00
	658	For expenses other than personal in administering the law relative to the sale of securities, a sum not exceeding twelve thousand five hundred dollars	12,500 00
		Total	$52,255 00
		Miscellaneous.	
Bunker Hill monument, etc., maintenance.	659	For the maintenance of Bunker Hill monument and the property adjacent, to be expended by the metropolitan district commission, a sum not exceeding thirteen thousand dollars . . .	$13,000 00
	660	For rebuilding steps and walks and for grading at the Bunker Hill monument, to be expended by the metropolitan district commission, a sum not exceeding ten thousand dollars	10,000 00
		Total	$23,000 00
		The following four items are to be paid from the Highway Fund, with the approval of the Metropolitan District Commission:	
Boulevards and parkways.	661	For maintenance of boulevards and parkways, a sum not exceeding six hundred eight thousand dollars	$608,000 00
	662	For resurfacing of boulevards and parkways, a sum not exceeding three hundred thousand dollars .	300,000 00
	663	For certain improvements in the Charles River basin, as authorized by chapter three hundred and seventy-one of the acts of nineteen hundred and twenty-nine, a sum not exceeding one hundred fifty-five thousand dollars, representing the state's portion of the cost of such improvements required for the current year, the same to be in addition to any amount heretofore appropriated for the purpose	155,000 00
	664	For maintenance of Wellington bridge, with the approval of the metropolitan district commission, a sum not exceeding fifty-five hundred dollars .	5,500 00
		Total	$1,068,500 00
		Unclassified Accounts and Claims.	
Unclassified Accounts and Claims.	665	For the compensation of veterans of the civil war formerly in the service of the commonwealth, now retired, a sum not exceeding twenty thousand dollars	$20,000 00
	666	For the compensation of any veteran who may be retired by the governor under the provisions of sections fifty-six to fifty-nine, inclusive, of chapter thirty-two of the General Laws, as amended, a sum not exceeding ten thousand dollars . .	10,000 00
	667	For the compensation of veterans of the civil war formerly employed at the Soldiers' Home in Massachusetts, now retired, a sum not exceeding one hundred and fifty dollars	150 00
	668	For the compensation of certain prison officers and instructors formerly in the service of the commonwealth, now retired, a sum not exceeding thirty-eight thousand five hundred dollars .	38,500 00

Item			
669	For the compensation of state police officers formerly in the service of the commonwealth, and now retired, a sum not exceeding six thousand dollars	$6,000 00	Unclassified Accounts and Claims.
670	For the compensation of certain women formerly employed in cleaning the state house, and now retired, a sum not exceeding nine hundred dollars	900 00	
	Total	$75,550 00	
	For certain other aid:		
671	For the compensation of certain public employees for injuries sustained in the course of their employment, as provided by section sixty-nine of chapter one hundred and fifty-two of the General Laws, as amended, a sum not exceeding thirty-eight thousand dollars	$38,000 00	Certain other aid.
672	For the payment of certain annuities and pensions of soldiers and others under the provisions of certain acts and resolves, a sum not exceeding fifty-two hundred and twenty-six dollars	5,226 00	
	Total	$43,226 00	
673	For reimbursing officials for premiums paid for procuring sureties on their bonds, as provided by existing laws, a sum not exceeding one hundred fifty dollars	$150 00	Reimbursing officials for premiums, etc.
674	For payment of any claims, as authorized by section eighty-seven of chapter thirty-two of the General Laws, as amended, for allowances to the families of members of the department of public safety doing police duty killed or fatally injured in the discharge of their duties, a sum not exceeding twenty-five hundred dollars	2,500 00	
675	For small items of expenditure for which no appropriations have been made, and for cases in which appropriations have been exhausted or have reverted to the treasury in previous years, a sum not exceeding one thousand dollars	1,000 00	
676	For reimbursement of persons for funds previously deposited in the treasury of the commonwealth on account of unclaimed savings bank deposits, a sum not exceeding one thousand dollars	1,000 00	
	Total	$4,650 00	

Sundry Permanent Improvements.

Service of the Department of Education.

380b	For the renewal of certain steam lines at the Massachusetts agricultural college, a sum not exceeding fifteen thousand dollars	$15,000 00	Sundry Permanent Improvements. Department of Education. Massachusetts agricultural college.

Service of the Department of Mental Diseases.

456b	For the construction of a coal trestle, a sum not exceeding ten thousand dollars	10,000 00	Department of Mental Diseases.
456d	For the construction of an employees' cottage, a sum not exceeding fourteen thousand dollars	14,000 00	
456e	For the construction of additional sewage disposal, a sum not exceeding twelve thousand two hundred and fifty dollars	12,250 00	
	Grafton State Hospital:		
458a	For renewing certain steam lines, a sum not exceeding fifty-three thousand dollars	53,000 00	Grafton State Hospital.

	Item		
		Medfield State Hospital:	
Medfield State Hospital.	460a	For the purchase and installation of new boilers, a sum not exceeding forty thousand dollars . .	$40,000 00
		Taunton State Hospital:	
Taunton State Hospital.	465a	For the purchase and installation of new boilers and providing for certain other improvements in the boiler plant, a sum not exceeding forty-five thousand dollars	45,000 00
		Westborough State Hospital:	
Westborough State Hospital.	469a	For enlarging and renovating what is known as the Childs building, a sum not exceeding twenty-seven thousand dollars	27,000 00
		Belchertown State School:	
Belchertown State School.	477d	For alterations to the present boiler house and for a boiler and other equipment, a sum not exceeding fifteen thousand dollars, to be in addition to an appropriation made in nineteen hundred and thirty of thirteen thousand dollars . . .	15,000 00
	478d	For additional service by the construction of wells, standpipe, and sludge beds, a sum not exceeding five thousand dollars	5,000 00
	478f	For the construction of the second and third units of the schoolhouse gymnasium and assembly hall, a sum not exceeding one hundred sixty-three thousand dollars	163,000 00
		Walter E. Fernald State School:	
Walter E. Fernald State School.	479a	For the reconstruction of a building, including equipment, to be used as a contagious hospital, a sum not exceeding fifteen thousand dollars .	15,000 00
	479b	For furnishing and equipping certain new buildings, a sum not exceeding twenty thousand dollars .	20,000 00
	479d	For certain equipment for the heating plant and the extension of steam, water and electrical service lines, a sum not exceeding sixty thousand dollars	60,000 00
	479e	For furnishings and equipment for the new service building, a sum not exceeding thirty-eight thousand dollars	38,000 00
	479f	For the construction of new walks and roads, a sum not exceeding five thousand dollars . . .	5,000 00
	480a	For the purchase of additional land, a sum not exceeding twenty-six thousand dollars . .	26,000 00
		Wrentham State School:	
Wrentham State School.	482e	For furnishings and equipment for the addition to the service building, a sum not exceeding thirteen thousand dollars	13,000 00
	482f	For furnishings for a nursery building, a sum not exceeding six thousand dollars	6,000 00
	482g	For the cost of additional wells, a sum not exceeding fifty-five hundred dollars	5,500 00
		Service of the Department of Public Welfare.	
		Industrial School for Boys:	
Department of Public Welfare. Industrial School for Boys.	527a	For the construction, equipment and furnishing of a cottage for boys, a sum not exceeding eighty thousand dollars	80,000 00
		Massachusetts Hospital School:	
Massachusetts Hospital School.	532a	For the construction and furnishing of a house for the superintendent, a sum not exceeding twenty-two thousand dollars	22,000 00

Item			
	State Infirmary:		
535b	For the construction and furnishing of an assistant superintendent's house, a sum not exceeding twelve thousand dollars	$12,000 00	State Infirmary.
	Service of the Department of Public Health.		
	Westfield State Sanatorium:		
575a	For the construction and furnishing of a dormitory for employees, a sum not exceeding seventy-nine thousand five hundred dollars	79,500 00	Department of Public Health. Westfield State Sanatorium.
576a	For the cost of additional sewage and waste disposal, a sum not exceeding five thousand dollars . .	5,000 00	
	Pondville Cancer Hospital:		
577a	For the construction of new filter beds and the installation of additional sewage disposal works, a sum not exceeding ten thousand dollars . .	10,000 00	Pondville Cancer Hospital.
	Total	$796,250 00	

DEFICIENCIES.

For deficiencies in certain appropriations of previous years, in certain items, as follows: — Deficiencies.

Legislative Department.

For expenses in connection with the publication of the bulletin of committee hearings and of the daily list, and for the expense of printing a cumulative index to the acts and resolves of the current year, with the approval of the joint committee on rules, the sum of twenty-nine hundred sixty-seven dollars and seventy-six cents . .	$2,967 76	Legislative Department.
For printing, binding and paper ordered by the senate and house of representatives, or by concurrent order of the two branches, with the approval of the clerks of the respective branches, the sum of twenty-one hundred seventy-one dollars and eighty-one cents	2,171 81	
For expenses relative to the observance of the tercentenary of the first general court in Massachusetts, as authorized by an order of the general court, the sum of fourteen hundred sixty-nine dollars and forty-five cents . . .	1,469 45	

Judicial Department.

Justices of District Courts:		
For expenses of justices of district courts while sitting in the superior court, the sum of one hundred twenty-five dollars and eighty-one cents .	125 81	Judicial Department. Justices of District Courts.
Probate and Insolvency Courts:		
For expenses of judges of probate when acting outside their own counties for other judges of probate, as authorized by section forty of chapter two hundred and seventeen of the General Laws, as amended, the sum of one hundred twenty-nine dollars and seventy cents	129 70	Probate and Insolvency Courts.
District Attorneys:		
For traveling expenses necessarily incurred by the district attorneys, except in the Suffolk district, for the present and previous years, the sum of one hundred seventy-one dollars and forty cents .	171 40	District Attorneys.

Commission on Administration and Finance.

Item

Commission on Administration and Finance.

For other expenses incidental to the duties of the commission, the sum of one hundred four dollars and six cents $104 06

Art Commission.

Art Commission.

For expenses of the commission, the sum of eighty-eight dollars and ninety-five cents . . . 88 95

State Quartermaster.

State Quartermaster.

For the care and maintenance of the camp ground and buildings at Framingham, the sum of one hundred seventeen dollars and eighty-seven cents 117 87

For expense of maintaining and operating the Camp Curtis Guild rifle range, the sum of forty-one hundred eight dollars and eighty-seven cents . 4,108 87

Secretary of the Commonwealth.

Secretary of the Commonwealth.

For matters relating to elections:

For expenses of publication of lists of candidates and forms of questions before state elections, the sum of twelve hundred twelve dollars and fifty-seven cents 1,212 57

For personal and other services in preparing for primary elections, and for the expenses of preparing, printing and distributing ballots for primary and other elections, the sum of ninety-four hundred seventy-five dollars and ninety-three cents 9,475 93

For printing laws, etc.:

For printing the pamphlet edition of the acts and resolves of nineteen hundred and thirty, the sum of two hundred forty-one dollars and forty-seven cents 241 47

For printing and binding the blue book edition of the acts and resolves of the present year, the sum of sixty-two dollars and seventy-one cents . . 62 71

Department of Conservation.

Department of Conservation.

Enforcement of shellfish laws:

For expenses of purchasing lobsters, subject to the conditions imposed by chapter two hundred and sixty-three of the acts of nineteen hundred and twenty-eight, the sum of four hundred twenty dollars and twenty-five cents 420 25

Department of Corporations and Taxation.

Department of Corporations and Taxation.

Reimbursement for loss of taxes:

For reimbursing cities and towns for loss of taxes on land used for state institutions and certain other state activities, as certified by the commissioner of corporations and taxation for the fiscal year ending November thirtieth, nineteen hundred and thirty, the sum of eighty-three hundred ninety-nine dollars and four cents . . . 8,399 04

Department of Education.

Department of Education.

For services other than personal, necessary office supplies, and for printing the annual report and bulletins as provided by law, the sum of two hundred sixteen dollars and sixty-one cents . 216 61

Item			
	For the reimbursement of certain towns for the payment of tuition of pupils attending high schools outside the towns in which they reside, as provided by law, the sum of fifty-four hundred eighty-nine dollars and forty-eight cents . .	$5,489 48	Department of Education.
	For the reimbursement of certain towns for the transportation of pupils attending high schools outside the towns in which they reside, as provided by law, the sum of eleven thousand seven hundred twenty-five dollars and fifty-five cents .	11,725 55	
	Framingham normal school boarding hall, the sum of five thousand thirty-seven dollars and ninety-nine cents	5,037 99	
	Department of Civil Service and Registration.		
	Division of Registration:		
	For services of the division other than personal, printing the annual reports, office supplies and equipment, except as otherwise provided, the sum of ninety-four dollars and thirty-nine cents .	94 39	Department of Civil Service and Registration. Division of Registration.
	Department of Labor and Industries.		
	Massachusetts Industrial Commission:		
	For other services and expenses, including office supplies and travel, the sum of eleven hundred seven dollars and sixty-seven cents . . .	1,107 67	Department of Labor and Industries. Massachusetts Industrial Commission.
	Department of Industrial Accidents.		
	For expenses of impartial examinations, the sum of twenty-six hundred seventy-nine dollars and fifty-nine cents	2,679 59	Department of Industrial Accidents.
	Department of Public Welfare.		
	Trustees of Massachusetts Training Schools.		
	Boys' Parole:		
	For board, clothing, medical and other expenses incidental to the care of boys, the sum of two hundred seventy-six dollars and seventy-eight cents	276 78	Department of Public Welfare. Trustees of Massachusetts Training Schools.
	Tuition of children:		
	For reimbursement of cities and towns for tuition of children attending the public schools, the sum of five hundred thirty-nine dollars and eleven cents .	539 11	Boys' Parole. Tuition of children.
	Lyman School for Boys:		
	For furnishings and equipment for a brick cottage at the Lyman school for boys, the sum of seventeen hundred thirteen dollars and ten cents . .	1,713 10	Lyman School for Boys.
	Department of Public Safety.		
	Division of Inspection:		
	For traveling expenses of officers for the building inspection service, the sum of four hundred seventy-one dollars and twenty-four cents . .	471 24	Department of Public Safety. Division of Inspection.
	Fire Prevention District Service:		
	For traveling expenses of fire inspectors, the sum of two hundred ninety-eight dollars and seventy-nine cents	298 79	Fire Prevention District Service.
	Department of Public Works.		
	For administering the law relative to advertising signs near highways, the sum of seventeen hundred eighty-two dollars and seventy-one cents, to be paid from the General Fund . . .	1,782 71	Department of Public Works.

	Item		
Department of Public Works.		For the maintenance and repair of state highways, including care of snow on highways, expenses of traffic signs and lights, and payment of damages caused by defects in state highways, with the approval of the attorney general, and for care and repair of road-building machinery, the sum of eighty-five dollars, to be paid from the Highway Fund	$85 00
		Total	$62,785 66
		Metropolitan District Commission.	
		The following items are to be assessed upon the several districts in accordance with the methods fixed by law, and to be expended under the direction and with the approval of the metropolitan district commission:	
Metropolitan District Commission.	678	For maintenance of the Charles River basin, a sum not exceeding two hundred sixteen thousand seven hundred and fifty dollars	$216,750 00
	679	For maintenance of park reservations, a sum not exceeding nine hundred nineteen thousand seven hundred and seventy-four dollars, including a deficiency amounting to one hundred and seventy-four dollars	919,774 00
	680	For the expense of holding band concerts, a sum not exceeding twenty thousand dollars . . .	20,000 00
	681	For the expense of stream gauging, as a part of the maintenance of park reservations, a sum not exceeding thirteen hundred and fifty dollars .	1,350 00
Mosquito control.	682	For the expense of work to provide better mosquito control, as a part of the maintenance of park reservations, a sum not exceeding ten thousand dollars	10,000 00
Revere Beach reservation.	683	For the expense of constructing an addition to the police station at the Revere Beach reservation, as a part of the maintenance of park reservations, a sum not exceeding forty thousand dollars . .	40,000 00
Division of Metropolitan Planning.	684	For services and expenses of the division of metropolitan planning, as authorized by chapter three hundred and ninety-nine of the acts of nineteen hundred and twenty-three, a sum not exceeding twenty thousand dollars	20,000 00
Nantasket Beach reservation.	685	For maintenance of the Nantasket Beach reservation, a sum not exceeding ninety thousand five hundred dollars	90,500 00
Wellington bridge.	686	For maintenance of Wellington bridge, a sum not exceeding sixteen thousand five hundred dollars, the same to be in addition to the amount appropriated in item six hundred and sixty-four .	16,500 00
	687	(This item appropriated under Item 661.)	
	688	(This item appropriated under Item 662.)	
Improvements in Charles River basin.	689	For certain improvements in the Charles River basin, as authorized by chapter three hundred and seventy-one of the acts of nineteen hundred and twenty-nine, a sum not exceeding one hundred fifty-five thousand dollars, to be assessed upon the cities and towns in the metropolitan parks district in accordance with their taxable valuations, and to be in addition to the amount appropriated in item six hundred and sixty-three and to any amount heretofore appropriated for the purpose	155,000 00
North metropolitan sewerage district.	690	For the maintenance and operation of a system of sewage disposal for the north metropolitan sewerage district, a sum not exceeding three hundred seventy-five thousand three hundred dollars .	375,300 00

Item			
691	For the maintenance and operation of a system of sewage disposal for the south metropolitan sewerage district, a sum not exceeding two hundred thirty-six thousand one hundred dollars . .	$236,100 00	South metropolitan sewerage district.
692	For the maintenance and operation of the metropolitan water system, a sum not exceeding nine hundred forty-one thousand six hundred dollars	941,600 00	Metropolitan water system.
693	For the construction of additions and improvements to certain supply and distribution mains, as a part of the cost of maintenance of the metropolitan water system, a sum not exceeding eight hundred thousand dollars, of which amount four hundred thousand dollars is hereby appropriated in anticipation of a further appropriation of four hundred thousand dollars to be made in the year nineteen hundred and thirty-two	400,000 00	
694	For the purchase and installation of certain boilers, as a part of the cost of maintenance of the metropolitan water system, a sum not exceeding thirty thousand dollars	30,000 00	
695	For the purchase and installation of additional pumping equipment, as a part of the cost of maintenance of the metropolitan water system, a sum not exceeding one hundred fifty thousand dollars, of which amount fifty thousand dollars is hereby appropriated in anticipation of further appropriations of fifty thousand dollars in each of the years nineteen hundred and thirty-two and nineteen hundred and thirty-three . .	50,000 00	
	Total	$3,522,874 00	
	General and Highway Funds . . .	$62,469,241 23	
	Metropolitan District Commission . .	3,522,874 00	

Written approval of governor and council required for certain expenditures.

Section 3. No expenditures in excess of appropriations provided for under this act shall be incurred by any department or institution, except in cases of emergency, and then only upon the prior written approval of the governor and council.

Certain allowances included in appropriations for maintenance of certain institutions.

Section 4. The sums appropriated for maintenance of certain institutions include allowances for the purchase of coal to April first, nineteen hundred and thirty-two, and balance representing these sums may be carried forward at the end of the fiscal year.

No payment to be made for construction of public buildings, etc., until plans have been approved by governor.

Section 5. No payment shall be made or obligation incurred under authority of any special appropriation made by this act for construction of public buildings or other improvements at state institutions until plans and specifications have been approved by the governor, unless otherwise provided by such rules and regulations as the governor may make.

Budget commissioner to send copies of sections three and five to heads of departments, etc.

Section 6. The budget commissioner is hereby directed to send a copy of sections three and five of this act to each departmental, divisional and institutional head immediately following the passage of this act.

Section 7. This act shall take effect upon its passage.

Approved April 24, 1931.

Chap. 246 An Act relative to the status of certain clerks in the land court.

Be it enacted, etc., as follows:

G. L., 185, § 6, etc., amended.

Section six of chapter one hundred and eighty-five of the General Laws, as amended by section one of chapter four hundred and eighteen of the acts of nineteen hundred and thirty, is hereby further amended by adding at the end thereof the following: — The recorder may, with the approval of the judge, appoint two assistant clerks of court who shall, under his direction, perform the duties of clerk of court, — so as to read as follows: — *Section 6.* The governor, with the advice and consent of the council, shall appoint a recorder, who shall be clerk of the court and hold office for five years. He shall attend the sessions of the court, keep a docket of all causes, and affix the seal of the court to all processes or papers requiring it. Subject to the approval of the governor and council, the judge may appoint deputy recorders, who shall perform such duties as the court shall assign to them. The recorder may, with the approval of the judge, appoint two assistant clerks of court who shall, under his direction, perform the duties of clerk of court.

Recorder of land court, term, duties.

Deputy recorders.

Assistant clerks of court.

Approved April 24, 1931.

Chap. 247 An Act authorizing the borrowing of money by the city of Boston for high school construction and certain other purposes.

Be it enacted, etc., as follows:

The school committee of the city of Boston may make appropriations for construction, etc., of two new high school buildings, etc.

Section 1. The school committee of the city of Boston may, by vote of four fifths of all its members, taken by yeas and nays, make appropriations by items, for the construction and furnishing of two new high school buildings, including the taking of land therefor, and for school yards, and the preparing of school yards for use, which items may be subdivided as the committee may determine, for the financial year ending December thirty-first, nineteen hundred and thirty-one, of not more than two million dollars, in addition to the amount authorized by item (*b*) of section one of chapter two hundred and six of the Special Acts of nineteen hundred and nineteen, as most recently amended by section one of chapter three hundred and fourteen of the acts of nineteen hundred and twenty-six.

City of Boston may borrow outside statutory limit of indebtedness, issue bonds, etc.

Section 2. For the purpose of meeting the appropriation of two million dollars authorized by section one of this act the city of Boston may borrow, outside the statutory limit of indebtedness, from time to time within a period of two years from the effective date of this act, such sums as may be necessary, not exceeding, in the aggregate, two million dollars, and may issue bonds or notes therefor, which shall bear on their face the words, City of Boston High School Loan, Act of 1931. Each authorized issue shall constitute

City of Boston High School Loan, Act of 1931.

a separate loan, and such loans shall be paid in not more than fifteen years from their dates. Except as herein provided, indebtedness incurred under this act shall be subject to the laws relative to the incurring of debt by said city.

Section 3. This act shall take effect upon its passage.

Approved April 28, 1931.

An Act extending the benefits of state and military aid and soldiers' relief to veterans of the Indian wars or campaigns, their wives, widows and dependents. *Chap.* 248

Be it enacted, etc., as follows:

Section 1. Section six of chapter one hundred and fifteen of the General Laws, as most recently amended by chapter two hundred and nineteen of the acts of nineteen hundred and twenty-seven, is hereby further amended by inserting after the word "therein" in the forty-fourth line, as printed in chapter three hundred and fifty-seven of the acts of nineteen hundred and twenty-four, the following new paragraph: — Invalid pensioners of the United States who served under the authority or by the approval of the United States or any state or territory in any Indian war or campaign, or in connection with or in the zone of any active Indian hostilities in any of the states or territories of the United States prior to January first, eighteen hundred and ninety-eight, having enlisted in said service while an inhabitant of a town in this commonwealth and actually residing therein;

G. L. 115, § 6, etc., amended.

State and military aid to those who served in Indian wars or campaigns, etc.

Section 2. Said section six of said chapter one hundred and fifteen, as so amended, is hereby further amended by inserting after the word "therefrom" in the ninetieth line, as so printed, the following new paragraph: — The wives of invalid pensioners who served in the Indian wars or campaigns, and the widows of soldiers dying in such service, or after honorable discharge therefrom and while in receipt of a pension from the United States;

G. L. 115, § 6, etc., amended.

Payment of aid to wives and widows of veterans of Indian wars or campaigns.

Section 3. Said chapter one hundred and fifteen, as most recently amended in section seven by section one of chapter two hundred and thirty-three of the acts of nineteen hundred and thirty, is hereby further amended by striking out said section seven and inserting in place thereof the following: — *Section 7.* The wife of a discharged soldier or sailor shall not be held to belong to any of the foregoing classes, nor shall she receive state aid unless, if the service of the soldier or sailor was in the war with Spain, the Philippine Insurrection or the China Relief Expedition, she was married to him before his final discharge from such service, and, if his widow, before September first, nineteen hundred and twenty-two, and if his service was in the civil war unless she was, if his wife, married to him prior to his final discharge from such service, and, if his widow, prior

G. L. 115, § 7, etc., amended.

Restrictions as to allowances of state aid to wives and widows of certain veterans.

to June twenty-seventh, eighteen hundred and ninety, and if the service of the soldier was in any Indian war or campaign unless she was, if his wife, married to him prior to his final discharge from such service, and, if his widow, prior to March fourth, nineteen hundred and seventeen, and if the service of the soldier or sailor was on the Mexican border or in the world war unless she was, if his wife, married to him prior to his final discharge from the service or release from active duty therein, and, if his widow, prior to January first, nineteen hundred and twenty-eight.

G. L. 115, § 10, par. second, etc., amended.

SECTION 4. The second paragraph of section ten of said chapter one hundred and fifteen, as most recently amended by section four of chapter one hundred and fifty-five of the acts of nineteen hundred and twenty-eight, is hereby further amended by inserting after the word "wars" in the thirteenth line the words: —, Indian wars or campaigns, — so as to read as follows: — First Class, Each person of the first class shall have his settlement in the town aiding him; shall have served as a soldier, sailor or nurse in the manner and under the limitations prescribed in the first class of section six; shall have been honorably discharged or released from active duty in such United States service and from all appointments and enlistments therein; shall be poor and indigent and, by reason of sickness or other physical disability, in such need as would entitle him to relief under chapter one hundred and seventeen; shall not be, directly or indirectly, in receipt of any other state or military aid, or of any pension for services rendered or disabilities incurred either in the civil or Spanish wars, Indian wars or campaigns, the Philippine Insurrection, the China Relief Expedition, Mexican border service or world war service as defined in section six. The disability must have arisen from causes independent of his military or naval service aforesaid.

Military aid, etc.

First class qualifications.

G. L. 115, § 17, etc., amended.

SECTION 5. Section seventeen of said chapter one hundred and fifteen, as most recently amended by chapter one hundred and ninety-two of the acts of nineteen hundred and thirty, is hereby further amended by inserting after the word "war" in the seventh line the following: —, or a pensioner of the United States who served under the authority or by the approval of the United States or any state or territory in any Indian war or campaign, or in connection with or in the zone of any active Indian hostilities in any of the states or territories of the United States prior to January first, eighteen hundred and ninety-eight, — so as to read as follows: —

Soldiers' relief for certain persons in military or naval service, etc., and for their dependents.

Section 17. If a person who served in the army or navy of the United States in the war of the rebellion, in the army, navy or marine corps in the war with Spain or the Philippine insurrection between April twenty-first, eighteen hundred and ninety-eight, and July fourth, nineteen hundred and two, or in the army, navy or marine corps in the world war, or a pensioner of the United States who served under the authority or by the approval of the United States or any state or territory in any Indian war or campaign, or in connection

with or in the zone of any active Indian hostilities in any of the states or territories of the United States prior to January first, eighteen hundred and ninety-eight, and received an honorable discharge from all enlistments therein, and who has a legal settlement in a town in the commonwealth, becomes poor and wholly or partly unable to provide maintenance for himself, his wife or minor children under sixteen years of age or for a dependent father or mother, unless such condition is the result of his own criminal or wilful misconduct, or if such person dies leaving a widow or minor children under sixteen years of age, or minor children over sixteen but under eighteen years of age who attend school or are incapacitated for work, or a dependent father or mother without proper means of support, such support as may be necessary shall be accorded to him or his said dependents by the town where they or any of them have a legal settlement, and his said dependents, in the case of his death, shall not be deemed ineligible to receive said support by reason of criminal or wilful misconduct on his part at any time during his lifetime; but should such person have all the said qualifications except settlement, if he served in the war of the rebellion, or in the army, navy or marine corps in the war with Spain or the Philippine insurrection between said dates, his widow, who has acquired a legal settlement in her own right before August twelfth, nineteen hundred and sixteen, which settlement has not been defeated or lost, or if he served in the world war and at the time of his decease was a legal resident of this commonwealth, his widow, who has a legal settlement and who has not remarried, and his minor children under sixteen years of age, and those over sixteen but under eighteen years of age who attend school or are incapacitated for work, shall also be eligible to receive relief under this section. Any crippled, blind or helpless child, whether a minor or adult, of a deceased person who served in the army or navy of the United States in the war of the rebellion, or in the war with Spain or the Philippine insurrection between April twenty-first, eighteen hundred and ninety-eight and July fourth, nineteen hundred and two, and received an honorable discharge from all enlistments therein, if such child is receiving a pension from the United States and is not otherwise eligible to receive relief under this section, shall also be eligible as aforesaid. Such relief shall be furnished by the aldermen or selectmen, or, in Boston, by the soldiers' relief commissioner, subject, however, to the direction of the city council of said city as to the amount to be paid. The beneficiary shall receive said relief at home, or at such other place as the aldermen, selectmen or soldiers' relief commissioner deem proper, but he shall not be compelled to receive the same at an infirmary or public institution unless his physical or mental condition requires, or, if a minor, unless his parents or guardian so elect.

Soldiers' relief for certain persons in military or naval service, etc., and for their dependents.

If an applicant for military aid or soldiers' relief has a settlement outside of the town where the application is

Notice to certain officials of application for

military aid or soldiers' relief.

Procedure in case of unreasonable delay in aiding applicant.

Penalty.

made, the official required to act thereon shall, within three days, notify the corresponding official in the town of the applicant's settlement, and also the commissioner. If the town of settlement of an applicant for soldiers' relief unreasonably delays in aiding the applicant after receipt of said notice, the town of the applicant's residence shall forthwith grant such aid as the commissioner may order, and the town so granting such aid shall be reimbursed in full therefor by the town of the applicant's settlement. Any town official required to act on such order of the commissioner who refuses and neglects to comply therewith shall be punished by a fine of not less than twenty-five nor more than one hundred dollars.

Applicable to certain army nurses, etc.

This section shall also apply to army nurses who served in the army hospitals of the United States during the civil war and are entitled to state aid under section six and to army nurses and their dependents as specified herein who served in the army, navy or marine corps during the war with Spain or during the Philippine insurrection between April twenty-first, eighteen hundred and ninety-eight, and July fourth, nineteen hundred and two, or during the world war.

Approved April 28, 1931.

Chap. 249 AN ACT AUTHORIZING THE CITY OF BOSTON TO BORROW MONEY FOR THE RECONSTRUCTION OF STREETS.

Be it enacted, etc., as follows:

City of Boston may borrow money for the reconstruction of streets.

SECTION 1. For the purpose of reconstructing accepted streets, the city of Boston may borrow, outside the statutory limit of indebtedness, from time to time within a period of two years from the passage of this act, such sums as may be necessary, not exceeding, in the aggregate, five hundred thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Boston Street Loan, Act of 1931. Each authorized issue shall constitute a separate loan, and such loans shall be paid in not more than ten years from their dates, but no issue shall be authorized under this act unless a sum equal to each such authorized issue is voted for the same purpose, to be raised from taxes or other sources of revenue or from the proceeds of indebtedness incurred within the statutory limit of indebtedness. Except as herein provided, indebtedness incurred under this act shall be subject to the laws relative to the incurring of debt by said city.

Boston Street Loan, Act of 1931.

May levy taxes outside tax limit, etc.

SECTION 2. The said city, for the purpose of raising any sum voted to be raised by taxation as authorized by section one, may levy taxes outside the tax limit for general municipal purposes to an amount not exceeding the amount so voted.

Submission to city council, etc.

SECTION 3. This act shall take effect upon its acceptance during the current year by vote of the city council of said city, subject to the provisions of its charter, but not otherwise.

Approved April 28, 1931.

An Act relative to the construction, alteration and maintenance of buildings in the city of Boston. *Chap.* 250

Be it enacted, etc., as follows:

Section 1. Chapter five hundred and fifty of the acts of nineteen hundred and seven, as amended in section ten by section two of chapter three hundred and fifty-two of the Special Acts of nineteen hundred and fifteen, by section one of chapter sixty of the acts of nineteen hundred and twenty-one and by section five of chapter four hundred and sixty-two of the acts of nineteen hundred and twenty-three, is hereby further amended by striking out said section ten and inserting in place thereof the following: — *Section 10.* The provisions of this act shall not apply to public highway and railway bridges, quays or wharves, nor to buildings belonging to and occupied by the United States, or the commonwealth, nor to railroad stations used exclusively for railroad purposes, nor to voting booths erected and maintained by the board of election commissioners.

1907, 550, § 10, etc., amended.

Boston building laws not to apply to certain structures.

Except as otherwise provided by law, the provisions of this act shall not be held to deprive the board of health, the police commissioner, the board of street commissioners, the board of examiners of gas fitters, the commissioner of wires or the fire commissioner of the city of Boston, of any power or authority, except as to the construction of buildings, which they have at the date of the passage of this act or of the remedies for the enforcement of the orders of said boards or officers, unless such powers, authorities or remedies are inconsistent with the provisions of this act; nor to repeal any existing law not herein expressly repealed, except so far as it may be inconsistent with the provisions of this act.

Powers of certain boards and commissions not to be abridged.

Section 2. Section five of said chapter five hundred and fifty, as amended by section two of chapter two hundred and five of the acts of nineteen hundred and fourteen, by section two of chapter one hundred and fifty-five of the Special Acts of nineteen hundred and nineteen, by section one of chapter ninety-one of the acts of nineteen hundred and twenty, and by section three of chapter four hundred and sixty-two of the acts of nineteen hundred and twenty-three, is hereby further amended by striking out the second paragraph and inserting in place thereof the following: —

1907, 550, § 5, etc., amended.

Before beginning the removal of any building or other structure, the building commissioner shall give notice, by mail, to the owner of his right to the material, upon request, if he is known and can be found; otherwise by posting an attested copy of such notice in a conspicuous place upon the external walls of such building. If the owner claims the material, he shall at once so notify the commissioner in writing and shall remove the same within ten days after the building or structure is taken down, and if he fails to do so the building commissioner may dispose of the material.

Notice as to owners' right to materials of buildings, etc., to be removed.

Section 3. This act shall take effect upon its passage.

Approved April 29, 1931.

*Chap.*251 AN ACT RELATIVE TO THE CARE AND MAINTENANCE OF A BRIDGE OVER THE CONNECTICUT RIVER BETWEEN THE CITY OF NORTHAMPTON AND THE TOWN OF HADLEY.

Be it enacted, etc., as follows:

1914, 709, § 4, amended.

SECTION 1. Chapter seven hundred and nine of the acts of nineteen hundred and fourteen is hereby amended by striking out section four and inserting in place thereof the following: — *Section 4.* The expense of the care and maintenance of said bridge shall be apportioned and paid as follows: — The county of Hampshire shall pay fifty-seven per cent; the city of Northampton shall pay twenty-eight per cent; the town of Hadley shall pay three per cent and the town of Amherst shall pay twelve per cent.

Apportionment of expense of care and maintenance of bridge over Connecticut river between Northampton and Hadley.

SECTION 2. This act shall take effect upon its passage.

Approved April 29, 1931.

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*Chap.*252 AN ACT ESTABLISHING A BOARD OF PUBLIC SAFETY IN THE CITY OF HOLYOKE AND REGULATING THE POWERS AND DUTIES OF SAID BOARD.

Be it enacted, etc., as follows:

Board of public safety in city of Holyoke, establishment, powers.

SECTION 1. In the city of Holyoke the city engineer, the city marshal and the chief of the fire department shall constitute an unpaid board to be known as the board of public safety. Said board shall constitute in said city the local licensing authority for the purposes of chapter one hundred and forty-eight of the General Laws, as appearing in section one of chapter three hundred and ninety-nine of the acts of nineteen hundred and thirty, and its amendments. In said city the endorsement of the head of the fire department upon the application for any license under section thirteen of said chapter one hundred and forty-eight shall not be a prerequisite to the granting of such license, nor shall any action by the head of the fire department be required to validate any action of said board under section fifty-six of said chapter one hundred and forty-eight.

Clerk, duties.

SECTION 2. Said board shall designate and may for cause remove as its clerk either the clerk of the fire commission or the clerk of the police department. Said clerk shall keep full and accurate records of the doings of said board, which records shall at all times be open to public inspection. All provisions of said section thirteen relative to the city clerk shall, in said city, relate to the clerk of said board.

SECTION 3. This act shall take effect upon its passage.

Approved April 29, 1931.

An Act relative to interest on damages awarded in actions for death tried without jury. *Chap.* 253

Emergency preamble.

Whereas, The deferred operation of this act would tend to defeat its purpose, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

G. L. 229, § 11, amended.

Section 1. Section eleven of chapter two hundred and twenty-nine of the General Laws is hereby amended by inserting after the word "given" in the first line the words: — or a finding made, — by inserting after the word "rendered" in the fourth line the words: — or finding made, — and by inserting after the word "verdict" in the sixth line the words: — or finding, — so as to read as follows: — *Section 11.* In any civil action in which a verdict is given or a finding made for pecuniary damages for the death, with or without conscious suffering, of any person, whether or not such person was in the employment of the defendant against whom the verdict is rendered or finding made, there shall be added to the amount of the damages interest thereon from the date of the writ, even though such interest brings the amount of the verdict or finding beyond the maximum liability imposed by law.

Interest on damages awarded in actions for death tried without jury.

Section 2. This act shall take effect upon its passage.

Approved April 29, 1931.

An Act subjecting the offices of clerks and assistant clerks of the municipal court of the city of Boston to classification. *Chap.* 254

Be it enacted, etc., as follows:

G. L. 35, § 49, amended.

Section 1. Section forty-nine of chapter thirty-five of the General Laws, as inserted by section five of chapter four hundred of the acts of nineteen hundred and thirty, is hereby amended by striking out, in the fifth and sixth lines, the words "justices, special justices, clerks and assistant clerks of the district courts" and inserting in place thereof the words: — justices and special justices of the district courts, clerks and assistant clerks of the district courts other than the municipal court of the city of Boston, — and by inserting after the word "justices," in the sixth line the word: — other, — so as to read as follows: — *Section 49.* Every office and position whereof the salary is wholly payable from the treasury of one or more counties, or from funds administered by and through county officials, except the offices of county commissioners and associate county commissioners, justices and special justices of the district courts, clerks and assistant clerks of the district courts other than the municipal court of the city of Boston, trial justices, other offices and positions filled by appointment of the governor

Offices and positions whereof salaries are payable from treasury of one or more counties, etc., except certain offices, to be classified by board.

with the advice and consent of the council, and probation officers, shall be classified by the board in the manner provided by sections forty-eight to fifty-six, inclusive, and every such office and position, now existing or hereafter established, shall be allocated by the board to its proper place in such classification. Offices and positions in the service of any department, board, school or hospital principally supported by the funds of the county or counties, or in the service of a hospital district established under sections seventy-eight to ninety-one, inclusive, of chapter one hundred and eleven, shall likewise be subject to classification as aforesaid.

Offices and positions in service of certain departments, schools or hospitals subject to classification.

Salaries of clerks not to be diminished, etc.

SECTION 2. The salary of no clerk or assistant clerk in office on the effective date of his classification under authority hereof shall be diminished by reason of such classification.

Approved April 29, 1931.

Chap. 255 AN ACT RELATIVE TO THE AMERICAN ACADEMY OF ARTS AND SCIENCES.

Be it enacted, etc., as follows:

1779, 46, § 4, etc., amended.

Section four of chapter forty-six of the acts of seventeen hundred and seventy-nine, as amended by section one of chapter one hundred and twenty-nine of the acts of nineteen hundred and ten and by section one of chapter forty-seven of the acts of nineteen hundred and eleven, is hereby further amended by striking out, in the twelfth line, the word "four" and inserting in place thereof the word: — six, — so as to read as follows: — *Section 4.* That the fellows of the said academy may from time to time elect such persons to be fellows thereof as they shall judge proper; and that they shall have full power and authority from time to time to suspend, expel or disfranchise any fellow of the said academy who shall by his conduct render himself unworthy of a place in that body, in the judgment of the academy; and also to settle and establish the rules, forms and conditions of election, suspension, expulsion and disfranchisement: *provided*, that the number of the said academy, who are inhabitants of this state, shall not at any one time be more than six hundred nor less than forty.

American Academy of Arts and Sciences, membership.

Proviso.

Approved April 29, 1931.

Chap. 256 AN ACT REFORMING THE TERMINOLOGY IN ILLEGITIMACY CASES.

Be it enacted, etc., as follows:

G. L. 121, § 8, etc., amended.

SECTION 1. Section eight of chapter one hundred and twenty-one of the General Laws, as amended by section thirty-five of chapter one hundred and fifty-five of the acts of nineteen hundred and twenty-eight, is hereby further amended by striking out, in the sixth line, the word "bastardy" and inserting in place thereof the word: — illegiti-

macy, — so as to read as follows: — *Section 8.* It shall ascertain whether any inmates of state institutions under its supervision have settlements in the commonwealth, and shall cause laws relative to the support by towns of sane state charges to be enforced, and may prosecute cases of illegitimacy if the mother has no settlement in the commonwealth. It shall also prepare, and annually mail, on or before April first, to the clerk of the board of public welfare of each town, a form for returns to be made by such boards under sections thirty-three and thirty-four of chapter one hundred and seventeen, and from said returns it shall prepare tables of persons supported by towns. Duties of department of public welfare relative to certain state charges.

Section 2. Section twenty-two of chapter two hundred and seventy-two of the General Laws is hereby amended by striking out, in the second line, the words "a bastard" and inserting in place thereof the word: — illegitimate, — so as to read as follows: — *Section 22.* A woman who conceals the death of issue of her body, which if born alive would be illegitimate, so that it cannot be ascertained whether it was born alive or, if born alive, whether it was murdered, shall be punished by a fine of not more than one hundred dollars or by imprisonment for not more than one year. G. L. 272, § 22, amended. Concealment by mother of death of illegitimate child.

Section 3. Section twenty-three of said chapter two hundred and seventy-two is hereby amended by striking out, in the first line, the word "bastard" and inserting in place thereof the word: — illegitimate, — so as to read as follows: — *Section 23.* A woman indicted for the murder of her infant illegitimate child may also be charged in the same indictment with the crime described in the preceding section; and if she is acquitted of murder, she may be convicted of the concealment. G. L. 272, § 23, amended. Joinder of murder and concealment.

Section 4. Chapter two hundred and seventy-three of the General Laws is hereby amended by striking out the title of said chapter and inserting in place thereof the following: — Desertion, Non-Support and Illegitimacy, — and by striking out the heading above sections eleven to nineteen, inclusive, and inserting in place thereof the word: — Illegitimacy. G. L. 273, title amended. Heading above sections 11 to 19, inclusive, amended.

Section 5. Section nineteen of said chapter two hundred and seventy-three is hereby amended by striking out, in the second line, the word "bastardy" and inserting in place thereof the word: — illegitimacy, — so as to read as follows: — *Section 19.* No proceedings shall be maintained under any of the eight preceding sections in any case where illegitimacy proceedings were begun before July first, nineteen hundred and thirteen. G. L. 273, § 19, amended. Cannot proceed after illegitimacy proceedings under former law.

Section 6. The schedule of forms and pleadings appended at the end of chapter two hundred and seventy-seven of the General Laws is hereby amended by striking out the word "bastardy" wherever appearing therein and inserting in place thereof the word: — illegitimacy. Schedule of forms and pleadings appended at end of G. L. 277 amended.

Approved April 29, 1931.

Chap. 257 AN ACT AUTHORIZING THE TOWN OF WEST BOYLSTON TO RECEIVE AND ADMINISTER THE PROPERTY OF THE MOUNT VERNON CEMETERY ASSOCIATION IN SAID TOWN, SUBJECT TO JUDICIAL DECREE AS AFFECTING TRUST PROPERTY.

Be it enacted, etc., as follows:

Town of West Boylston authorized to receive the real and personal property of the Mount Vernon Cemetery Association.

SECTION 1. Mount Vernon Cemetery Association, a corporation duly organized on March thirty-first, eighteen hundred and fifty-two, under chapter eighty-one of the acts of eighteen hundred and fifty-two, and situated in the town of West Boylston, may, by deed executed by the president and treasurer of the corporation thereunto duly authorized, convey and transfer to said town, and said town is hereby authorized to receive, and thereafter to hold and maintain, but for cemetery purposes only, and subject to all rights heretofore existing in any burial lots, the real and personal property of the corporation not subject to any trust, and thereupon, and upon the transfer of trust funds as hereinafter provided, the corporation shall be dissolved; and the cemetery of the corporation shall be and become a public burial place, ground or cemetery.

Upon transfer of trust funds corporation to be dissolved.

Town may receive from said corporation a conveyance and transfer of, and administer, all trust funds held by it, etc.

SECTION 2. In so far as authorized by the decree of a court of competent jurisdiction and in compliance with the terms and conditions of such decree, said town may receive from said corporation a conveyance and transfer of, and administer, all funds or other property held by it in trust for the perpetual care of the lots in its cemetery and for other purposes, and also any property devised or bequeathed to said corporation under the will of any person living at the time of said transfer or conveyance or under the will of any deceased person not then probated. Interest and dividends accruing on funds deposited in trust with any savings bank, under authority of section thirty-seven or thirty-eight of chapter one hundred and sixty-eight of the General Laws, or with any other banking institution, for the benefit of the corporation, or of any lots in its cemetery, may, after such conveyance and transfer are authorized by such decree, be paid by such bank to the treasurer of said town; and upon such payment said treasurer, under the direction of the cemetery commissioners of said town, shall use the same for the purposes specified in such decree.

Interest and dividends accruing on trust funds to be paid to town treasurer, etc.

How real and personal property, and property rights, acquired from corporation, shall be held and managed.

Proviso.

SECTION 3. All real and personal property, and property rights, acquired by said town from the corporation under authority of section one shall be held and managed by said town in the same manner in which cities and towns are authorized by law to hold and manage property for cemetery purposes; provided, that all rights which any persons have acquired in its cemetery or any lots therein shall remain in force to the same extent as if this act had not been passed and such transfer had not occurred. The records of the corporation shall be delivered to the clerk of said town, and such clerk may certify copies thereof.

Records to be delivered to town clerk.

Section 4. This act shall take full effect upon its acceptance by a majority of the registered voters of the town of West Boylston present and voting thereon at the annual town meeting of said town to be held in the year nineteen hundred and thirty-two, or at a special town meeting called for the purpose to be held prior to December thirty-first, nineteen hundred and thirty-one; but for the purpose only of such acceptance it shall take effect upon its passage. Submission to voters of town of West Boylston, etc.

Approved April 29, 1931.

An Act relative to the correcting, amending and supplementing of birth records. *Chap.* 258

Be it enacted, etc., as follows:

Section thirteen of chapter forty-six of the General Laws, as most recently amended by chapter one hundred and sixty-nine of the acts of nineteen hundred and thirty, is hereby further amended by striking out the fourth paragraph and inserting in place thereof the following: — G. L. 46, § 13, par. fourth, etc., amended.

He shall file any affidavit, certified copy of such decree or copy of record submitted under this section and record it in a separate book kept therefor, with the name and residence of the deponent or the facts of such decree and the date of the original record, and shall thereupon draw a line through any statement, or statements, sought to be corrected or amended in the original record, without erasing them, shall enter upon the original record the facts required to correct, amend or supplement the same in accordance with such affidavit or decree, including, in case of a decree of adoption, the same facts relative to the adopting parents as are required in a record of birth by the provisions of section one relative to natural parents, and forthwith, if a copy of the record has been sent to the state secretary, shall forward to the state secretary a certified copy of the corrected, amended or supplemented record upon blanks to be provided by him, and the state secretary shall thereupon correct, amend or supplement the record in his office. Reference to the record of the affidavit or such decree shall be made by the clerk on the margin of the original record. If the clerk furnishes a copy of such a record, he shall certify to the facts contained therein as corrected, amended or supplemented, and shall state that the certificate is issued under this section; except that the clerk shall, upon proper judicial order, or when requested by a person seeking his own birth record, or by a person whose official duties, in the opinion of the clerk, entitle him to the information contained in the original record, furnish a copy of such original record. Such affidavit, or a certified copy of the record of any other town or of a written statement made at the time by any person since deceased required by law to furnish evidence thereof, may, in the discretion of the clerk, be made the basis for the record of a birth, marriage or death not previously recorded, and

Birth records.

Filing and recording of affidavits.

State secretary to receive copy of record corrected, etc.

Certification of records as corrected, etc., in furnishing of copies thereof.

Affidavits, etc., as basis for records, etc.

such copy of record may also be made the basis for completing the record of a birth, marriage or death not containing all the required facts. *Approved April 29, 1931.*

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*Chap.*259 AN ACT RELATIVE TO SERVICE OF PROCESS AND CONFESSION OF JUDGMENT IN ACTIONS BROUGHT ON CERTAIN INSTRUMENTS.

Be it enacted, etc., as follows:

G. L. 231, new section after § 13.

Service of process and confession of judgment in actions brought on certain instruments.

SECTION 1. Chapter two hundred and thirty-one of the General Laws is hereby amended by inserting after section thirteen the following new section: — *Section 13A.* Any judgment entered in an action upon a contract, promissory note or other instrument in which or in a memorandum or writing relating to which is contained a stipulation whereby the defendant in such action waived or agreed to waive or authorized another person to waive or to agree to waive the issue or service of process in such an action shall be set aside and annulled on motion of the defendant, unless it appears that service in the usual manner was had upon him or that the plaintiff sent to him by registered mail at least seven days before the day of entry of such action a notice of his intention to enter the same on said day and at the time of entry filed an affidavit of giving notice as aforesaid, which affidavit shall be prima facie evidence of the giving thereof. Any stipulation in a contract, promissory note or other instrument, or in any memorandum or writing relating thereto, whereby a party thereto agrees to confess judgment in any action which may be brought thereon or authorizes or agrees to authorize another person to confess judgment as aforesaid shall be void, and any judgment by confession taken in pursuance of such a stipulation shall be set aside and annulled on motion of the defendant. Upon the setting aside and annulling of any judgment under authority hereof, all outstanding executions issued thereon shall be stayed or superseded without security.

When operative. Application.

SECTION 2. This act shall become operative on September first of the current year, and shall apply to actions brought in the superior court or in a district court on contracts, promissory notes or other instruments executed after but not on or before said date.

Approved April 29, 1931.

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*Chap.*260 AN ACT REGULATING THE COLLECTION OF FUNDS FOR CHARITABLE PURPOSES ON WAYS AND IN OTHER PUBLIC PLACES AND THEIR DISBURSEMENT.

Be it enacted, etc., as follows:

G. L. 68, new section after § 15.

Chapter sixty-eight of the General Laws is hereby amended by adding after section fifteen, inserted by chapter two hundred and nine of the acts of nineteen hundred and thirty,

the following new section: — *Section 16.* Every person, association or corporation, domestic or foreign, soliciting or collecting by agents or solicitors, upon ways or in any other public places within the commonwealth to which the public have a right of access, contributions of money for charitable purposes or represented to be for such purposes, or receiving any money so collected, shall keep a full and true record of the names and addresses of all such solicitors and collectors and of the amounts so collected by each, and also such a record of all expenditures and disbursements of said money, and the names and addresses of all persons to whom expended or disbursed. Said records shall include money received from any other source and expended for the purposes of such solicitation or collection. All records required hereunder shall be open to inspection at all times by the attorney general, and upon demand shall be presented to him for inspection. Upon an information in equity brought by the attorney general the supreme judicial or superior court may enforce the provisions of this section and may restrain the soliciting of contributions by or on behalf of a person, association or corporation violating its provisions.

Collection of funds for charitable purposes on ways and in other public places and their disbursement, regulated.

Approved April 29, 1931.

An Act authorizing the award of custody of the minor children of divorced parents to third persons. *Chap.* 261

Be it enacted, etc., as follows:

Section twenty-eight of chapter two hundred and eight of the General Laws is hereby amended by inserting after the word "remain" in the sixth line the words: —, or may award their custody to some third person if it seems expedient or for the benefit of the children, — so as to read as follows: —

G. L. 208, § 28, amended.

Section 28. Upon decree of divorce, or petition of either parent, or of a next friend in behalf of the children, after notice to both parents, after such decree, the court may make such decree as it considers expedient relative to the care, custody and maintenance of the minor children of the parties, and may determine with which of the parents the children or any of them shall remain, or may award their custody to some third person if it seems expedient or for the benefit of the children; and afterward may from time to time, upon the petition of either parent, or of a next friend, revise and alter such decree or make a new decree, as the circumstances of the parents and the benefit of the children may require.

Care and maintenance of minor children of divorced parents.

Award of custody to third person.

Approved April 29, 1931.

An Act relative to the composition of the staff of the commander-in-chief. *Chap.* 262

Be it enacted, etc., as follows:

Section twenty-two of chapter thirty-three of the General Laws, inserted by chapter four hundred and sixty-five of the

G. L. 33, § 22, etc., amended.

acts of nineteen hundred and twenty-four and amended by chapter nineteen of the acts of nineteen hundred and twenty-seven, is hereby further amended by striking out the third paragraph and inserting in place thereof the following: —

Commander-in-chief's staff, composition.

Three aides de camp, one with the rank of lieutenant colonel and two with the rank of major;

Approved April 29, 1931.

Chap. 263 AN ACT RELATIVE TO SPORTING LICENSES AUTHORIZING CERTAIN MINORS TO FISH.

Be it enacted, etc., as follows:

G. L. 131, § 6, amended.

SECTION 1. Section six of chapter one hundred and thirty-one of the General Laws, inserted by section two of chapter three hundred and ninety-three of the acts of nineteen hundred and thirty, is hereby amended by inserting after the word "laws" in the tenth line the words: —; provided, that a sporting license to fish only issued to a minor between the age of fifteen and eighteen shall authorize the licensee to fish only, — so as to read as follows: — *Section 6.*

Sporting or trapping license, form, contents.

Upon the application of any person entitled to receive a sporting or a trapping license and upon payment of the fee hereinafter specified therefor and the furnishing of an affidavit by any non-resident desiring to be classified under clause (2) of section eight, the director or the clerk of any town shall issue to such person a sporting license or a trapping license, as the case may be, in the form prescribed upon a blank furnished by the division. A sporting license shall authorize the licensee to hunt birds and mammals and to fish, subject to existing laws; provided, that a sporting license to fish only issued to a minor between the age of fifteen and eighteen shall authorize the licensee to fish only. A trapping license shall authorize the licensee to trap mammals, subject to existing laws. Each license issued hereunder shall bear, in addition to any other data, the name, place of residence, citizenship, birthplace, signature and identifying description, and, in the case of a male person, the age, of the licensee, a statement that the holder has not been convicted of a violation of this chapter or any provision thereof, or of any corresponding provision of earlier laws, within one year of the date of the license, and each applicant shall furnish such information to the director or the town clerk issuing such license. Each license shall be valid for use to and including the following December thirty-first. No person holding a sporting or trapping license shall transfer or loan such license, and every holder thereof shall, while fishing, hunting or trapping, carry upon his person his license and shall produce it for examination upon the demand of any warden, deputy warden or other officer qualified to serve criminal process, or upon the demand of an owner or lessee of land upon which the licensee is fishing, hunting or trapping, or upon the demand of the agents of such owner or

Proviso.

Duration of license.

Not transferable, etc.

Holder to produce license upon demand, etc.

lessee. Failure or refusal to produce a license issued hereunder upon such demand shall constitute a violation of this section. Whoever for the purpose of procuring a license falsely makes any representation or statement required by this section, shall be punished by a fine of not less than ten nor more than fifty dollars, or by imprisonment for not more than one month, or both.

Failure to produce license to constitute a violation.

Penalty for false representation.

Section 2. Section eight of said chapter one hundred and thirty-one, inserted by said section two of said chapter three hundred and ninety-three, is hereby amended by inserting after the word "license" in the eighth line the words: —, or a sporting license entitling the holder to fish only, — and by inserting after the word "license" in the fiftieth line the words: —, or a sporting license to fish only, — so as to read as follows: — *Section 8.* Sporting and trapping licenses shall be issued to the following classes of persons upon payment of the following fees:

G. L. 131, § 8, amended.

Sporting and trapping licenses, issue to whom and fees.

(1) A citizen of the United States, resident in this commonwealth for at least six months, for which the fee shall be two dollars and seventy-five cents for a sporting license and five dollars and twenty-five cents for a trapping license, except as hereinafter provided for a trapping license, or a sporting license entitling the holder to fish only, to a minor between the ages of fifteen and eighteen, and except that there shall be no fee for a sporting license if such person has reached age seventy.

Resident citizens.

(2) A citizen of the United States, not a resident of this commonwealth for at least six months, for which the fee shall be ten dollars and twenty-five cents; or, if he comes within one of the four following classes and resides or last resided in a state extending like privileges to citizens of this commonwealth, the fee shall be three dollars and twenty-five cents for a sporting license and five dollars and twenty-five cents for a trapping license; but if the state of which he is a resident requires a resident of this commonwealth to pay a larger fee for a similar privilege in such state, the fee for such a non-resident shall be equal to that charged by such state. *Class A.* Owner of real estate in the commonwealth assessed for taxation at not less than five hundred dollars. *Class B.* Member of any club or association incorporated prior to nineteen hundred and seven, for the purpose of hunting, fishing or trapping upon land owned by such corporation; provided, that the land owned is equal in value to five hundred dollars for each member and that the membership list of the corporation shall be filed from time to time upon request, and at least annually, with the clerks of the various towns within which such land is located and with the director. *Class C.* Invited guest of a club or association conducting fox hunts and incorporated under the laws of this commonwealth who, on the written invitation of a member of said club or association, attends its meetings for the sole purpose of hunting foxes; provided, that the membership list of such club or association shall be filed

Non-resident citizens.

Class A.

Class B.

Proviso.

Class C.

Proviso.

from time to time upon request, and at least annually, with the clerk of the town where the hunt takes place and with the director; also, a non-resident member of any such club or association. *Class D.* A citizen of the United States, not a resident of this commonwealth for at least six months, who desires to fish only.

Class D.

Unnaturalized foreign born residents.

Proviso.

(3) An unnaturalized foreign born person, resident in this commonwealth for at least ten consecutive days, provided that he is the owner of real estate in the commonwealth assessed for taxation at not less than five hundred dollars, for which the fee shall be fifteen dollars and twenty-five cents.

Fee for trapping license or sporting license to fish only, issued to a minor.

The fee for a trapping license, or a sporting license to fish only, issued to a minor between the ages of fifteen and eighteen, if he is a resident of this commonwealth for at least six months, shall be one dollar and twenty-five cents.

Hunting or trapping licensees to make annual report, etc.

Each person licensed to hunt or trap shall within thirty days succeeding January first in each year make a written report to the director at the office of the division, stating the number of birds or mammals taken by him in the preceding calendar year, or stating that no such birds or mammals were so taken, as the case may be.

Approved April 29, 1931.

Chap. 264 AN ACT REQUIRING PROOF OF AGE IN CERTAIN CASES BEFORE THE ISSUE OF A MARRIAGE CERTIFICATE TO MINORS.

Be it enacted, etc., as follows:

G. L. 207, new section after § 33.

Proof of age required in certain cases before the issue of a marriage certificate to minors.

Chapter two hundred and seven of the General Laws is hereby amended by inserting after section thirty-three the following new section: — *Section 33A.* If it appears from the statements made in the written notice of intention of marriage that a party to such intended marriage is under twenty-one, if a male, or under eighteen if a female, the clerk or registrar shall not, except as required under section twenty-five, issue a certificate under section twenty-eight before receiving proof of the age of the parties. Such proof shall be contained in any of the following documents, graded and taking precedence in the order named: (1) an original or certified copy of a record of birth; (2) an original or certified copy of a baptismal record; (3) a passport; (4) a life insurance policy; (5) an employment certificate; (6) a school record; (7) an immigration record; (8) a naturalization record; or (9) a court record. Documentary evidence of a lower grade as aforesaid shall not be received by the clerk or registrar unless he is satisfied that evidence of a higher grade is not readily procurable. If no such documentary proof of age is procurable, the consent of the parent shall be sufficient. If the clerk or registrar has reasonable cause to believe that a party to an intended marriage represented to be twenty-one or over, if a male, or eighteen or over, if a female, is under such age, he shall, before issuing such certificate, require documentary proof of age as aforesaid.

Approved April 29, 1931.

An Act reviving Milton Public Market, Inc. *Chap.*265

Be it enacted, etc., as follows:

Milton Public Market, Inc., a corporation dissolved by section one of chapter three hundred and nineteen of the acts of nineteen hundred and twenty-nine, is hereby revived with the same powers, duties and obligations as if said chapter had not been passed; and all acts and proceedings of the officers, directors and stockholders of said corporation acting as such which would be legal and valid but for the passage of said chapter are hereby ratified and confirmed. Milton Public Market, Inc., revived.

Approved April 29, 1931.

An Act relative to the St. Jean Baptiste Society of Marlborough. *Chap.*266

Be it enacted, etc., as follows:

The St. Jean Baptiste Society of Marlborough, a fraternal benefit society incorporated under the laws of this commonwealth, may enter into a written agreement with L'Union St. Jean Baptiste d'Amerique, a fraternal benefit society incorporated under the laws of the state of Rhode Island, containing such terms, conditions and restrictions as the commissioner of insurance of this commonwealth may impose, providing for the admission to said L'Union St. Jean Baptiste d'Amerique, subject to its constitution and by-laws, of all members of said St. Jean Baptiste Society of Marlborough participating in its mortuary fund, and for the transfer of said fund to said L'Union St. Jean Baptiste d'Amerique. Such agreement shall be executed by the principal executive officers of each of said societies under its corporate seal, if any, and shall be approved by vote of said St. Jean Baptiste Society of Marlborough at a regular or special meeting duly called for that purpose and by the General Board of said L'Union St. Jean Baptiste d'Amerique, and shall not be effective until approved in writing by said commissioner of insurance and a duplicate original thereof, authenticated and approved in a manner satisfactory to said commissioner is filed in his office. Agreement for admission to L'Union St. Jean Baptiste d'Amerique of all members of St. Jean Baptiste Society of Marlborough participating in its mortuary fund, and transfer of said fund to said L'Union St. Jean Baptiste d'Amerique, etc.

Approved April 29, 1931.

An Act readjusting the rights and obligations of the commonwealth and the county of Middlesex in relation to the use of the metropolitan state hospital sewer by the Middlesex county tuberculosis hospital. *Chap.*267

Be it enacted, etc., as follows:

Section 1. Section five of chapter three hundred and seventy-three of the acts of nineteen hundred and twenty-nine is hereby repealed. 1929, 373, § 5, repealed.

Section 2. The Middlesex county commissioners shall convey to the commonwealth lands acquired for the Middle- Rights and obligations of state and

Middlesex county in relation to use of metropolitan state hospital sewer by Middlesex county tuberculosis hospital, readjusted.

sex county tuberculosis hospital, easterly of Walnut street in the town of Lexington, and the commonwealth shall simultaneously convey to the county of Middlesex all easements or rights in land necessary for the connection of the sewer for the Middlesex county tuberculosis hospital with the sewer of the metropolitan state hospital sewerage system.

Approved April 29, 1931.

Chap. 268 AN ACT PROVIDING A TWO YEAR PROGRAM FOR THE ACCELERATION OF BUILDING CONSTRUCTION, IN ORDER TO ALLEVIATE THE PRESENT UNEMPLOYMENT EMERGENCY, TO BE FINANCED BY THE ISSUE OF FOUR YEAR NOTES.

Emergency preamble.

Whereas, The deferred operation of this act would defeat its purpose, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

Appropriations for construction of public buildings, and for permanent improvements.

SECTION 1. To provide for the construction of public buildings and for permanent improvements, the sums set forth in section two of this act, for the several purposes and subject to the conditions therein specified, are hereby made available from the receipts from the sale of notes, as authorized by section three, subject to the provisions of law regulating the disbursement of public funds and the approval thereof.

SECTION 2.

Service of the Armory Commission.

	Item		
Armory commission. Aviation hangars.	153b	For the construction of aviation hangars and building for administrative purposes, a sum not exceeding two hundred fifty thousand dollars	$250,000 00

Service of the Department of Mental Diseases.

		Metropolitan State Hospital:	
Department of Mental Diseases. Metropolitan State Hospital.	444a	For continuing the development of the new Metropolitan state hospital, a sum not exceeding one hundred thousand dollars, the same to be in addition to and for the same general purposes as appropriations previously made from ordinary revenue	100,000 00
		Boston State Hospital:	
Boston State Hospital.	446b	For the construction and equipment of a reception building, a sum not exceeding four hundred thousand dollars	400,000 00
		Northampton State Hospital:	
Northampton State Hospital.	462a	For the construction of a male nurses' home, a sum not exceeding one hundred fifty thousand dollars	150,000 00
		Westborough State Hospital:	
Westborough State Hospital.	469a	For the construction and equipment of an assembly building, a sum not exceeding eighty-five thousand dollars	85,000 00
		Monson State Hospital:	
Monson State Hospital.	475a	For the construction of an infirmary building, a sum not exceeding one hundred fifty thousand dollars	150,000 00

Item			
475c	For the construction and equipment of a heating plant, and for a side-track, cold storage system, steam mains and piping to buildings, and electrical service from switchboard at boiler house, a sum not exceeding three hundred sixteen thousand four hundred dollars	$316,400 00	Monson State Hospital.
	Belchertown State School:		
477f	For the construction of a cottage for employees, a sum not exceeding thirty-two thousand five hundred dollars	32,500 00	Belchertown State School.
477g	For furnishings and equipment for new buildings, a sum not exceeding five thousand dollars . .	5,000 00	
477j	For equipment for an industrial building, a sum not exceeding five thousand dollars	5,000 00	
477k	For the construction of additional tunnels, a sum not exceeding forty-two thousand dollars . .	42,000 00	
477l	For the construction of a nursery building, a sum not exceeding fifty-nine thousand dollars . .	59,000 00	
478d	For additional service by the construction of wells, standpipe, and sludge beds, a sum not exceeding fifteen thousand one hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose	15,100 00	
	Walter E. Fernald State School:		
480aa	For the construction of an assembly building, a sum not exceeding eighty thousand dollars . .	80,000 00	Walter E. Fernald State School.
480bb	For the construction of an employees' dormitory, a sum not exceeding one hundred fifty thousand dollars	150,000 00	
480c	For the construction of a nursery type building, a sum not exceeding fifty-nine thousand dollars .	59,000 00	
480d	For the necessary furnishings and equipment of new buildings, a sum not exceeding sixteen thousand dollars	16,000 00	
480e	For the construction of two new school rooms, a sum not exceeding twenty-five thousand dollars	25,000 00	
	Wrentham State School:		
482h	For the construction of additional sewer beds, a sum not exceeding fifteen thousand dollars .	15,000 00	Wrentham State School.
482i	For the construction of an infirmary building, a sum not exceeding one hundred fifty thousand dollars	150,000 00	
482j	For the construction of a building for employees, a sum not exceeding one hundred twelve thousand five hundred dollars	112,500 00	
482k	For furnishings for new buildings, a sum not exceeding twenty thousand dollars . . .	20,000 00	
482l	For enlargement of the heating plant by new construction and equipment, a sum not exceeding thirty-five thousand dollars	35,000 00	
482m	For the construction of tunnels, a sum not exceeding fifteen thousand dollars . . .	15,000 00	
482n	For the construction of an officer's cottage, a sum not exceeding nine thousand dollars . .	9,000 00	
	Service of the Department of Public Welfare.		
	Industrial School for Girls:		
528a	For the construction, equipment and furnishing of a cottage for girls, a sum not exceeding seventy-five thousand dollars	75,000 00	Department of Public Welfare. Industrial School for Girls.

	Item		
		Lyman School for Boys:	
Lyman School for Boys.	531a	For the construction, equipment and furnishing of a cottage for boys, a sum not exceeding sixty-two thousand five hundred dollars . . .	$62,500 00
		Service of the Department of Public Health.	
		Rutland State Sanatorium:	
Department of Public Health. Rutland State Sanatorium.	571a	For the construction of a modern cow barn, a sum not exceeding twenty-five thousand dollars .	25,000 00
		Service of the Soldiers' Home in Massachusetts.	
Soldiers' Home in Massachusetts.	161a	For the construction of new buildings at the Soldiers' Home in Massachusetts, a sum not exceeding three hundred thousand dollars. Payments from the state treasury under this item shall be made only upon vouchers filed with the comptroller in accordance with the procedure prescribed under section eighteen of chapter twenty-nine of the General Laws . . .	300,000 00
		Total	$2,759,000 00

State treasurer to borrow on credit of commonwealth, may issue notes, etc.

SECTION 3. For the purposes of this act, the state treasurer, upon the request of the department heads having charge of construction authorized hereby, shall borrow on the credit of the commonwealth such sums, not exceeding, for any particular work of construction aforesaid, the amount authorized hereby to be expended therefor, and not exceeding, in the aggregate, two million seven hundred fifty-nine thousand dollars, as may from time to time be required, and may issue notes of the commonwealth, carrying such rates of interest as the state treasurer may fix, with the approval of the governor and council. Such notes shall be payable not earlier than one year after the effective date of this act nor later than November thirtieth, nineteen hundred and thirty-five, and their maturities shall be so arranged that the payments of principal on account of such notes in each of the four fiscal years ending November thirtieth, nineteen hundred and thirty-five will be equal, as nearly as may be. Such notes shall be signed by the state treasurer, approved by the governor and countersigned by the comptroller. All sums necessary to meet payments of principal and interest on account of said notes shall be paid from the general fund or ordinary revenue of the commonwealth.

No payment to be made for construction of public buildings, etc., until plans have been approved by governor.

SECTION 4. No payment shall be made or obligation incurred under authority of this act for construction of public buildings or other improvements at state institutions until plans and specifications have been approved by the governor, unless otherwise provided by such rules and regulations as the governor may make.

SECTION 5. This act shall take effect upon its passage.

Approved April 30, 1931.

An Act in addition to the general appropriation act making appropriations for building construction at certain state institutions. *Chap.* 269

Be it enacted, etc., as follows:

Appropriations for building construction at certain state institutions.

Section 1. To provide for the construction of additional buildings at certain state institutions, the sums set forth in section two, for the several purposes and subject to the conditions therein specified, are hereby appropriated from the general fund or revenue of the commonwealth, subject to the provisions of law regulating the disbursement of public funds and the approval thereof.

Section 2.

Service of the Department of Mental Diseases.

Item			
	Gardner State Colony:		Department of Mental Diseases.
456a	For the construction and equipment of a new heating plant, a sum not exceeding one hundred fifty thousand dollars	$150,000 00	Gardner State Colony.
	Belchertown State School:		
477h	For the construction of an industrial building, a sum not exceeding fifty-two thousand dollars . .	52,000 00	Belchertown State School.
	Walter E. Fernald State School:		
480b	For the construction and furnishing of an infirmary building, a sum not exceeding one hundred fifty-four thousand dollars	154,000 00	Walter E. Fernald State School.
	Service of the Department of Public Welfare.		
	State Infirmary:		Department of Public Welfare.
535c	For the construction and furnishing of a men's dormitory, a sum not exceeding seventy thousand dollars	70,000 00	State Infirmary.
535d	For the construction and furnishing of employees' quarters, a sum not exceeding seventy-four thousand dollars	74,000 00	
		$500,000 00	

No payment to be made for construction of public buildings, etc., until plans have been approved by governor.

Section 3. No payment shall be made or obligation incurred under authority of any special appropriation made by this act for construction of public buildings at state institutions until plans and specifications have been approved by the governor, unless otherwise provided by such rules and regulations as the governor may make.

Section 4. This act shall take effect upon its passage.

Approved April 30, 1931.

An Act relative to the holding of field trials for hunting dogs, so-called. *Chap.* 270

Emergency preamble.

Whereas, The deferred operation of this act would, in part, defeat its purpose, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

G. L. 131, § 135, etc., amended.

Section one hundred and thirty-five of chapter one hundred and thirty-one of the General Laws, inserted by sec-

tion two of chapter three hundred and ninety-three of the acts of nineteen hundred and thirty, is hereby further amended by adding at the end thereof the following new sentences: — Nothing in this chapter shall be construed to prevent the holding of field trials for such dogs, during any part of the year, if authorized by a permit from the director and conducted in accordance with such rules and regulations as he may prescribe. Authority is hereby granted to the director to issue such permits and to make such rules and regulations. *Approved April 30, 1931.*

Permit for holding of field trials for hunting dogs.

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*Chap.*271 AN ACT AUTHORIZING THE CITY OF BOSTON TO BORROW MONEY FOR AIRPORT PURPOSES.

Be it enacted, etc., as follows:

City of Boston may borrow money for airport purposes.

SECTION 1. For the purpose of improving, extending and developing the Boston airport, so-called, in the East Boston district of the city of Boston, said city is hereby authorized to borrow, outside the statutory limit of indebtedness, from time to time within a period of two years from the passage of this act, such sums as may be necessary, not exceeding, in the aggregate, one million two hundred and fifty thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Boston Airport Improvement Loan, Act of 1931. Each authorized issue shall constitute a separate loan, and such loans shall be paid in not more than ten years from their dates. Except as herein provided, indebtedness incurred under this act shall be subject to the laws relative to the incurring of debt by said city.

Boston Airport Improvement Loan, Act of 1931.

Work may be done by day labor.

G. L. 31 not applicable.

SECTION 2. Work provided for hereby may be done by day labor, and in the employment thereof the provisions of chapter thirty-one of the General Laws and the rules and regulations made thereunder shall not apply.

Submission to city council, etc.

SECTION 3. This act shall take effect upon its acceptance during the current year by vote of the city council of said city, subject to the provisions of its charter, but not otherwise. *Approved April 30, 1931.*

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*Chap.*272 AN ACT AUTHORIZING THE KILLING OF PREDATORY BIRDS AND MAMMALS AND THE POSSESSION OR CARRYING OF SHOTGUNS AND RIFLES IN CERTAIN CASES ON SUNDAY.

Be it enacted, etc., as follows:

G. L. 131, § 83, amended.

Section eighty-three of chapter one hundred and thirty-one of the General Laws, as appearing in section two of chapter three hundred and ninety-three of the acts of nineteen hundred and thirty, is hereby amended by adding at the end thereof the following new paragraph: —

Killing of predatory birds and mammals and possession or

This section shall not prohibit the killing or attempted killing of a bird or mammal actually damaging or likely to damage property, subject, however, to the same conditions

and restrictions as would render such killing or attempted killing lawful on a secular day; nor shall it render unlawful the possession or carrying of a rifle or shotgun for such purpose or for the purpose of using the same in a sport or game lawfully conducted under the provisions of law authorizing sports and games on Sunday. *Approved April 30, 1931.*

carrying of shotguns and rifles authorized in certain cases on Sunday.

An Act relative to the interruption of traffic upon public ways. *Chap.* 273

Be it enacted, etc., as follows:

Section seventeen A of chapter eighty-five of the General Laws, inserted by chapter one hundred and thirty-nine of the acts of nineteen hundred and thirty, is hereby amended by inserting after the word "merchandise" in the third line the words: —, except newspapers, — and by striking out, in the fifth line, the words "state highway" and inserting in place thereof the words: — public way, — so as to read as follows: — *Section 17A.* Whoever, for the purpose of soliciting any alms, contribution or subscription or of selling any merchandise, except newspapers, or ticket of admission to any game, show, exhibition, fair, ball, entertainment or public gathering, signals a moving vehicle on any public way or causes the stopping of a vehicle thereon, or accosts any occupant of a vehicle stopped thereon at the direction of a police officer or signal man, or of a signal or device for regulating traffic, shall be punished by a fine of not more than fifty dollars. *Approved April 30, 1931.*

G. L. 85, § 17 A, amended.

Penalty for interruption of traffic for certain purposes upon public ways.

An Act authorizing the town of Barnstable to construct and operate a system of sewers. *Chap.* 274

Be it enacted, etc., as follows:

Section 1. The town of Barnstable may lay out, construct, maintain and operate a system or systems of main drains and common sewers for a part or the whole of its territory, with such connections and other works as may be required for a system of sewage disposal, and may construct such sewers or drains over or under land or tide waters in said town as may be necessary to conduct the sewage to filter beds and treatment works, and, for the purpose of providing better surface or other drainage, may make, lay and maintain such drains as it deems best.

Town of Barnstable may construct and operate a system of sewers, etc.

And for the purposes aforesaid, the town may, within its limits, make and maintain sub-drains, and, with the approval of the department of public health, discharge the water from such sub-drains into any brook, stream, water course or tide waters within the town.

May make and maintain sub-drains, etc.

Section 2. The town may make and maintain in any way therein where main drains or common sewers are constructed, such connecting drains, under-drains and sewers within the limits of such way as may be necessary to connect any estate which abuts upon the way.

May make and maintain connecting drains, etc.

Board of sewer commissioners, election, terms, etc.

SECTION 3. The town may, at any annual meeting, after its acceptance of this act as hereinafter provided, vote to elect a board of sewer commissioners, and if it so votes at such annual meeting, it shall elect by ballot at the next succeeding annual meeting a board of three sewer commissioners who shall be citizens of the town, to hold office, one until the expiration of one year, one until the expiration of two years, and one until the expiration of three years, from such annual meeting at which they are elected, and until their successors are qualified; and thereafter at each annual town meeting, the town shall elect one member of the board to serve for three years and until his successor is qualified.

Selectmen may act as a board of sewer commissioners.

The town may, at any time thereafter, by any and all the methods permitted by general law, provide that the selectmen may act as a board of sewer commissioners or that a board of sewer commissioners be elected.

Selectmen to act as board of sewer commissioners, until, etc.

SECTION 4. Upon the acceptance of this act by the town, and until the election and qualifying of a board of sewer commissioners as hereinbefore provided, the selectmen shall act as and constitute the board of sewer commissioners.

"Said board of sewer commissioners" or "said board", definition.

Whenever the phrase "said board of sewer commissioners" or "said board" hereinafter occurs it shall mean and include the board of sewer commissioners or the selectmen acting as such as the case may be.

Board may take lands, water rights, etc.

SECTION 5. Said board of sewer commissioners, acting for and on behalf of said town, may take by eminent domain under chapter seventy-nine of the General Laws, or acquire by purchase or otherwise, any lands, water rights, rights of way or easements, public or private, in said town, necessary for accomplishing any purpose mentioned in this act, and may construct such main drains and sewers, sub-drains and under-drains under or over any bridge, railroad, railway, boulevard or other public way, or within the location of any railroad, and may enter upon and dig up any private land, public land or railroad location, for the purpose of laying such drains and sewers and of maintaining and repairing the same, and may do any other thing proper or necessary for the purposes of this act; provided, that they shall not take in fee any land of a railroad corporation, and that they shall not enter upon or construct any drain or sewer within the location of any railroad corporation except at such time and in such manner as they may agree upon with such corporation, or, in case of failure to agree, as may be approved by the department of public utilities.

Proviso.

Recovery of damages.

SECTION 6. Any person injured in his property by any action of said board of sewer commissioners under this act may recover damages from said town under said chapter seventy-nine.

Town to determine its proportion of cost.

SECTION 7. The town shall, by vote, determine what proportion of the cost of said system or systems of sewerage and sewage disposal the town shall pay; provided, that it shall pay not less than one fourth of the whole cost. If the town votes to pay a proportion less than the whole cost, in

Proviso.

To determine method of

providing for the payment of the remaining portion of the cost of said system or systems, the town may avail itself of any or all of the methods permitted by general laws, and the provisions of said general laws relative to the assessment, apportionment, division, reassessment, abatement and collection of sewer assessments, to liens therefor and to interest thereon, shall apply to assessments made under this act. At the same meeting at which it determines the proportion of the cost which is to be borne by the town, it may by vote determine by which of such methods the remaining portion of said cost shall be provided for. The collector of taxes of said town shall certify the payment or payments of such assessments or apportionments thereof to the said board who shall preserve a record thereof.

providing remaining portion of cost.

Section 8. For the purpose of paying the necessary expenses and liabilities incurred under this act, the town may borrow such sums as may be necessary, not exceeding, in the aggregate, one hundred thousand dollars, and may issue bonds or notes therefor, which shall bear on their face, the words, Barnstable Sewerage Loan, Act of 1931. Each authorized issue shall constitute a separate loan. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall, except as provided herein, be subject to chapter forty-four of the General Laws.

May borrow money, issue bonds, etc.

Barnstable Sewerage Loan, Act of 1931.

Section 9. The receipts from sewer assessments and from payments made in lieu thereof shall be appropriated for and applied to the payment of charges and expenses incident to the maintenance and operation of said system of sewerage and sewage disposal or to the extension thereof, to the payment of interest upon bonds or notes issued for sewer purposes or to the payment or redemption of such bonds or notes.

Receipts from sewer assessments, etc., how applied.

Section 10. Said board of sewer commissioners may annually appoint a clerk and may appoint a superintendent of sewers who shall not be a member of the board. It may remove the clerk or superintendent at its pleasure and shall define their duties. Said board may, at its discretion, prescribe for the users of said sewer system or systems such annual rentals or charges based upon the benefits derived therefrom as it may deem proper, subject, however, to such rules and regulations as may be fixed by vote of the town.

Board may appoint clerk and superintendent of sewers, etc.

Rentals for use of sewer systems.

Section 11. All contracts made by the board of sewer commissioners shall be made in the name of the town and shall be signed by the board, but no contracts shall be made or obligation incurred by said board for any purpose in excess of the amount of money appropriated by the town therefor.

Contracts.

Section 12. Said board may, from time to time, prescribe rules and regulations for the connection of estates and buildings with main drains and sewers, and for the inspection of the materials, the construction, alteration and use of all connections and drains entering into such main drains or sewers, and may prescribe penalties, not exceeding twenty

Rules and regulations.

Effective upon publication.

dollars, for each violation of any such rule or regulation. Such rules and regulations shall be published at least once a week for three successive weeks in some newspaper published in the town of Barnstable, if any there be, and if not, then in some newspaper published in the county of Barnstable, and shall not take effect until such publications have been made.

Plans for system of sewerage, approval by department of public health.

SECTION 13. No act shall be done under authority of the preceding sections, except in the making of surveys and other preliminary investigations, until the plans of said system of sewerage and sewage disposal have been approved by the department of public health. Upon application to said department for its approval, it shall give a hearing, after due notice to the public. At such hearing, plans showing in detail all the work to be done in constructing such system of sewerage and sewage disposal shall be submitted for approval by said department.

Effective upon acceptance by majority vote of voters, etc.

SECTION 14. For the purpose of submission to the voters of said town, this act shall take effect upon its passage, and it shall take full effect upon its acceptance by vote of the majority of the voters of said town voting thereon at a town meeting called for the purpose within five years after its passage. No expenditure shall be made and no liability incurred hereunder until such acceptance.

Approved April 30, 1931.

Chap. 275 AN ACT MAKING LAWFUL THE PLAYING OF GOLF, OTHER THAN MINIATURE GOLF, SO CALLED, ON THE LORD'S DAY.

Emergency preamble.

Whereas, The deferred operation of this act would in part defeat its purpose, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public health and convenience.

Be it enacted, etc., as follows:

G. L. 136, § 2, etc., amended.

Section two of chapter one hundred and thirty-six of the General Laws, as amended by section one of chapter four hundred and six of the acts of nineteen hundred and twenty-eight, is hereby further amended by inserting after the word "square", in the sixth line, the words: —, or except a game of golf conducted on an open air golf course other than a miniature golf course, so called, — so as to read as follows: —

Being present at or taking part in certain entertainments on Lord's day prohibited.

Section 2. Whoever on the Lord's day is present at a game, sport, play or public diversion, except a concert of sacred music, a public entertainment duly licensed as provided in section four or a free open air concert given by a town, or by license of the mayor or the selectmen, upon a common or public park, street or square, or except a game of golf conducted on an open air golf course other than a miniature golf course, so called, shall be punished by a fine of not more than five dollars. Whoever on the Lord's day takes part in any game, sport, play or public diversion, except as aforesaid, shall be punished by a fine of not more than fifty dollars.

Penalty.

This and the following section shall not apply to sports or games conducted in accordance with sections twenty-one to twenty-five, inclusive, in any city or town which accepts said sections or in accordance with sections twenty-one to twenty-eight of chapter one hundred and thirty-six of the General Laws, in any city or town which has accepted said sections. *Approved May 4, 1931.*

Not applicable to sports or games conducted in accordance with certain sections, etc.

An Act authorizing the city of Pittsfield to borrow money for sewer purposes. *Chap.* 276

Be it enacted, etc., as follows:

Section 1. For the purpose of extending its sewer system and for the disposal of sewage, the city of Pittsfield may borrow, from time to time within a period of five years from the passage of this act, such sums as may be necessary, not exceeding, in the aggregate, four hundred thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Pittsfield Sewer Loan, Act of 1931. Each authorized issue shall constitute a separate loan, and such loans shall be paid in not more than twenty years from their dates, but no issue shall be authorized under this act unless a sum equal to an amount not less than ten per cent of such authorized issue is voted for the same purpose to be raised by the tax levy of the year when authorized. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall, except as herein provided, be subject to chapter forty-four of the General Laws, exclusive of the limitation contained in the first paragraph of section seven thereof, as revised by chapter three hundred and twenty-four of the acts of nineteen hundred and twenty-eight.

City of Pittsfield may borrow money for sewer purposes.

Pittsfield Sewer Loan, Act of 1931.

Section 2. This act shall take effect upon its passage. *Approved May 4, 1931.*

An Act authorizing the city of Boston to pay an annuity to the widow of Frank L. Lyons, a former captain in the fire department of said city. *Chap.* 277

Be it enacted, etc., as follows:

Section 1. For the purpose of promoting the public good, the city of Boston may pay to Catherine A. Lyons, widow of Frank L. Lyons, a former captain in the fire department of said city, who died from injuries received and illness contracted in the performance of his duty after thirty years of service in said department, an annuity of one thousand dollars payable in monthly instalments, the same to continue as long as she remains unmarried.

City of Boston may pay an annuity to the widow of Frank L. Lyons, a former captain in the fire department of said city.

Section 2. This act shall take effect upon its acceptance during the current year by vote of the city council of said city, subject to the provisions of its charter, but not otherwise. *Approved May 4, 1931.*

Submission to city council, etc.

Chap. 278 An Act relative to the sale of religious publications.

Be it enacted, etc., as follows:

G. L. 101, § 17, etc., amended.

Section seventeen of chapter one hundred and one of the General Laws, as most recently amended by section three of chapter three hundred and forty-nine of the acts of nineteen hundred and twenty-nine, is hereby further amended by inserting after the word "newspapers" in the first and second lines the words: —, religious publications, — so as to read as follows: — *Section 17.* Hawkers and pedlers may sell without a license newspapers, religious publications, ice, flowering plants, and such flowers, fruits, nuts and berries as are wild or uncultivated. The aldermen or selectmen may by regulations, not inconsistent with this chapter, regulate the sale or barter, and the carrying for sale or barter or exposing therefor, by hawkers and pedlers, of said articles without the payment of any fee; may in like manner require hawkers and pedlers of meats, butter, cheese, fish, and fresh fruit or vegetables to be licensed except as otherwise provided, and may make regulations governing the same, provided that the license fee does not exceed that prescribed by section twenty-two for a license embracing the same territorial limits; and may in like manner affix penalties for violations of such regulations not to exceed the sum of twenty dollars for each such violation. A hawker and pedler of meats, butter, cheese, fish, or fresh fruit and vegetables licensed under this section need not be licensed under section twenty-two.

Selling of certain articles permitted without a license, etc.

Licensing of certain hawkers and pedlers, etc.

Proviso.

Penalty.

Approved May 4, 1931.

Chap. 279 An Act relative to the powers of the Massachusetts Baptist Convention.

Be it enacted, etc., as follows:

Massachusetts Baptist Convention, powers.

The Massachusetts Baptist Convention, a corporation established under the laws of the commonwealth, is hereby authorized to take and hold in trust for any of the purposes set forth in its charter any real or personal property, in a total amount of not exceeding two million dollars, which may be or may have been given, bequeathed or otherwise conveyed or transferred to it upon such trusts. Said corporation shall be eligible to appointment as trustee under any written instrument whereby any trust for any of the purposes set forth in its charter is created or established, and in connection therewith shall continue to have and enjoy all the privileges and exemptions set forth in chapter seventy of the Special Acts of nineteen hundred and eighteen.

Approved May 4, 1931.

An Act relative to notice in certain proceedings before county commissioners affecting highways. *Chap.*280

Be it enacted, etc., as follows:

Chapter eighty-two of the General Laws is hereby amended by striking out section three and inserting in place thereof the following: — *Section 3.* Fifteen days at least before the time appointed for a view or hearing, the commissioners shall cause notice of the time and place appointed therefor and a copy of such petition to be served upon the clerk of every town within which such new highway, alteration, specific repair or discontinuance is prayed for. They shall also cause copies of the petition, or abstracts thereof, and of the notice, to be posted in two public places in each of said towns and to be published in such newspaper as they shall order; the posting and the last publication to be seven days at least before any view, hearing or adjudication on such petition.

G. L. 82, § 3, amended.

Notice in certain proceedings before county commissioners affecting highways.

Approved May 4, 1931.

An Act relative to the southern artery, so called. *Chap.*281

Be it enacted, etc., as follows:

Chapter three hundred and thirty of the acts of nineteen hundred and twenty-five, as amended, is hereby further amended by striking out section seven and inserting in place thereof the following: — *Section 7.* Title to all lands, and all rights therein and easements connected therewith, which have been taken or otherwise acquired hereunder for the construction of ways shall, on the effective date of this act, vest in the respective cities in which they lie, notwithstanding any confirmatory deeds conveying the same which have been or may be made to the commonwealth, and such title and all action taken hereunder, in so far as they may be invalid by reason of the fact that such ways were not constructed to the full width specified in section one, are hereby made valid. The full widths of such ways as laid out, except as hereinafter expressly provided, shall become public ways of the cities in which they respectively lie. After title vests as aforesaid, either city in which any of such lands lie may sell and convey, for value, and with or without restriction, any portion thereof which in its opinion is no longer needed for highway purposes and may abandon any interest less than fee taken or acquired as aforesaid but in its opinion no longer needed for such purposes; provided, that no such conveyance or abandonment shall be made which will lessen the widths of the ways as specified in section one. The proceeds of any such sale shall be paid into the state treasury, and one third thereof shall be credited to the highway fund and the balance shall be paid to the cities and towns required by section four to contribute two thirds of the cost of the work provided for in section one, in proportion to the amounts respectively contributed by them. The department of public works, being the lawful successor to the division of highways and public

1925, 330, § 7, etc., amended.

Title to lands, etc., taken or acquired for construction of ways, to vest in respective cities in which they lie, notwithstanding, etc.

Full widths of ways to become public ways. Sale of lands no longer needed, etc.

Proviso.

Proceeds to be paid into state treasury, etc.

Repairs, etc., of ways.

lands which was merged in said department by chapter two hundred and ninety-seven of the acts of nineteen hundred and twenty-seven, shall notify the mayor of the city in which is situated any part of said ways whenever in the opinion of said department the same is not being maintained in proper condition by said city as required by law and shall specify in said notice what repairs or improvements are necessary, and the officers of the city in charge of streets or ways shall forthwith make the specified repairs and improvements. If such officers do not make such repairs or improvements within sixty days of said notice or within such further time as said department may allow, said department may make the repairs or improvements which shall be paid for out of the general revenue of the commonwealth. Said department shall certify the amount of such expenditures to the state treasurer and the same shall be assessed, collected and paid over to the state treasurer in the same manner and at the same time as state taxes. *Approved May 4, 1931.*

Neglect by cities to repair, etc.

Chap. 282 AN ACT RELATIVE TO LIENS UNDER CONTRACTS FOR RECLAIMING OR RAISING THE LEVEL OF LAND OR FLATS BY THE VARIOUS FORMS OF DREDGING.

Be it enacted, etc., as follows:

G. L. 254, three new sections at end thereof.

Chapter two hundred and fifty-four of the General Laws is hereby amended by adding at the end thereof, under the caption, LIENS ON LAND RAISED OR RECLAIMED BY DREDGING, the following three new sections: —

Liens under contracts for reclaiming or raising the level of land or flats by the various forms of dredging.

Section 27. A person entering into a written contract with the owner of land or flats for reclaiming or raising the level thereof by suction, hydraulic or any other form of dredging, or for furnishing material therefor, shall have a lien upon the interest of the owner in said land or flats as appears of record at the date when notice of said contract is filed or recorded in the registry of deeds for the county or district where such land or flats lie, to secure the payment of all labor and material which shall thereafter be furnished by virtue of said contract. Said notice shall be in substantially the following form:

Form of notice.

Notice is hereby given that by virtue of a written contract dated....., between....., owner, and....., contractor, said contractor is to furnish labor and material for reclaiming or raising the level of land or flats described as follows:—.....

Said contract is to be completed on or before.....

Filing of notice of contract for furnishing labor or material, or both labor and material, etc.

Section 28. Whoever, subsequent to the date of the original contract, furnishes labor or material, or both labor and material, under a written contract with a contractor contracting as provided in section twenty-seven, or with a sub-contractor of such contractor, may file in the registry of deeds for the county or district where such land or flats lie a notice of his contract substantially in the following form:

Notice is hereby given that by virtue of a written contract dated....., between....., contractor (or sub-contractor), and....., said..... is to furnish labor or material, or both labor and material, in the reclaiming or raising the level, by....., contractor, for....., owner, of land or flats described as follows: — ..... Form notice.

Said contract is to be completed on or before.....

Upon filing a notice, as hereinbefore provided, and giving actual notice to the owner of such filing, the sub-contractor shall have a lien to secure the payment of all labor and material, which he shall thereafter furnish, upon the interest of the owner, as appears of record at the time of such filing, in the lot of land or flats reclaimed or improved in the manner described in section twenty-seven. Upon filing a notice, sub-contractor to have a lien, etc.

Section 29. All the provisions of this chapter relative to liens for the erection, alteration, repair or removal of a building or structure or for furnishing material therefor, attaching under the provisions of section two or four, shall apply, so far as apt, to liens attaching under section twenty-seven or twenty-eight. Certain provisions of chapter to apply to liens attaching under § 27 or 28. *Approved May 4, 1931.*

An Act providing that the guardianship jurisdiction of the probate court shall not apply to the custody of minor children affected by certain divorce proceedings. *Chap.* 283

Be it enacted, etc., as follows:

Section 1. Section five of chapter two hundred and one of the General Laws is hereby amended by adding thereto the following new sentence: — This section shall not apply to the minor children of parents divorced within or without the commonwealth or between whom divorce proceedings are pending in a court of the commonwealth, — so as to read as follows: — *Section 5.* The guardian of a minor shall have the custody of his person and the care of his education, except that the parents of the minor, jointly, or the surviving parent shall have such custody and said care unless the court otherwise orders. The probate court may, upon the written consent of the parents or surviving parent, order that the guardian shall have such custody; and may so order if, upon a hearing and after such notice to the parents or surviving parent as it may order, it finds such parents, jointly, or the surviving parent, unfit to have such custody; or if it finds one of them unfit therefor and the other files in court his or her written consent to such order. The marriage of a female under guardianship as a minor shall deprive her guardian of all right to her custody and education, but not of the care and possession of her property. If a corporation is appointed guardian of a minor, the court may, subject to the right of his parents, or of the husband of a female minor, as provided in this section, award the custody to some suitable person. This section shall not apply to the minor children of parents divorced within or without the G. L. 201, § 5, amended. Custody and education of minors. Effect of marriage. Section not applicable to custody of

minor children affected by certain divorce proceedings.

commonwealth or between whom divorce proceedings are pending in a court of the commonwealth.

Effective date.

SECTION 2. This act shall take effect September first in the current year. *Approved May 4, 1931.*

Chap. 284 AN ACT RELATIVE TO COMMITMENT TO JAIL OF CHILDREN AWAITING EXAMINATION OR TRIAL.

Be it enacted, etc., as follows:

G. L. 119, § 67, etc., amended.

SECTION 1. Section sixty-seven of chapter one hundred and nineteen of the General Laws, as amended by chapter two hundred and twenty-one of the acts of nineteen hundred and twenty-seven, and by chapter two hundred and sixteen of the acts of the current year, is hereby further amended by striking out the third paragraph, inserted by said chapter two hundred and twenty-one, and inserting in place thereof the following: —

Commitment to jail of children awaiting examination or trial. Time limit for disposition of case by court.

A child so committed to jail to await examination or trial by the court shall be returned thereto within ten days after each such commitment, and not more than twenty days shall elapse after the original commitment before disposition of such case by the court, by adjudication or otherwise.

Children committed to be kept apart from certain other persons committed, except, etc.

Any child committed to jail under this section shall, while so confined, be kept in a place separate and apart from all other persons committed thereto who are seventeen years of age or over, and shall not at any time be permitted to associate or communicate with any other such persons committed as aforesaid, except when attending religious exercises or receiving medical attention or treatment.

Effective date.

SECTION 2. This act shall take effect September first in the current year. *Approved May 4, 1931.*

Chap. 285 AN ACT AUTHORIZING THE APPOINTMENT OF AN ADDITIONAL COURT OFFICER FOR THE MUNICIPAL COURT OF THE DORCHESTER DISTRICT.

Be it enacted, etc., as follows:

G. L. 218, § 62, etc., amended.

Section sixty-two of chapter two hundred and eighteen of the General Laws, as most recently amended by section one of chapter two hundred and eight of the acts of nineteen hundred and twenty-nine, is hereby further amended by inserting after the word "district", the second time it occurs in the tenth line, the words: — , of the Dorchester district, — so as to read as follows: — *Section 62.*

Number of court officers in district courts.

In the municipal court of the city of Boston the court officers appointed shall not exceed ten for criminal business and five for civil business and one of such court officers for criminal business shall be designated by the chief justice as chief court officer of said court for criminal business, and one of such court officers for criminal business shall be designated as an assistant chief court officer; in the municipal court of the Roxbury district

four court officers may be appointed; in the municipal court of the South Boston district, of the Charlestown district, of the Dorchester district and of the West Roxbury district, the East Boston district court, the district court of Chelsea, the third district court of eastern Middlesex and the district court of East Norfolk two court officers for each court may be appointed; and in each of the other district courts in the commonwealth one court officer may be appointed. Additional court officer for the municipal court of the Dorchester district.

Approved May 4, 1931.

An Act relative to the investment by domestic life insurance companies in the stock of national banks and trust companies. *Chap.* 286

Be it enacted, etc., as follows:

Chapter one hundred and seventy-five of the General Laws, as amended in section sixty-six by section three of chapter two hundred and ninety-seven of the acts of nineteen hundred and twenty-three, is hereby further amended by striking out said section sixty-six and inserting in place thereof the following: — *Section 66.* Except as otherwise provided, no domestic life company shall invest any of its funds in any unincorporated business or enterprise, or in the stocks or evidence of indebtedness of any corporation the owners or holders of which stock or evidence of indebtedness may in any event be or become liable on account thereof to any assessment except for taxes, nor shall such life company invest any of its funds in its own stock or in the stock of any other insurance company. No such life company shall invest in, acquire or hold directly or indirectly more than ten per cent of the capital stock of any corporation, nor shall more than ten per cent of its capital and surplus be invested in the stock of any one corporation. No such life company shall subscribe to or participate in any underwriting of the purchase or sale of securities or property, or enter into any transaction for such purchase or sale on account of said company jointly with any other person, nor shall any such life company enter into any agreement to withhold from sale any of its property, but the disposition of its property shall be at all times within the control of its board of directors. G. L. 175, § 66, etc., amended. Restrictions upon investments of domestic life insurance companies.

Nothing in this section or in section sixty-three shall prevent such a life company from investing or loaning any funds, not required to be invested as provided in section sixty-three, in any manner that the directors may determine; provided, that no loan of such funds shall be made to an individual or firm unless it is secured by collateral security and provided further, that such funds shall not be invested in the purchase of stock or evidence of indebtedness prohibited by the preceding paragraph, except as hereinafter provided. Any such life company may invest such funds in the capital stock of a trust company incorporated Certain funds may be invested otherwise, etc. Proviso. Investment in stock of national banks

and trust companies.

in and doing business in the commonwealth or of a national banking association incorporated under federal law and located in any one of the New England states, if such trust company or association has paid dividends in cash of not less than four per cent on its capital stock in each of the five years next preceding the date of the investment and if the amount of surplus of such trust company or association is at least equal to fifty per cent of the amount of its capital stock; but no such life company shall invest in the aggregate an amount in excess of two and one half per cent of its reserve in the purchase of stock of such trust companies and national banking associations, nor shall it invest an amount in excess of two per cent of its reserve in the purchase of the stock of any one such trust company or association, except that if two or more such trust companies or associations merge or consolidate or one or more such trust companies is merged or consolidated with one or more such associations, such a life company may acquire stock of the absorbing or consolidating trust company or national banking association to an amount in excess of two per cent but not in excess of two and one half per cent of the reserve of such life company, if such stock is received in exchange for stock of the consolidating or merging companies or associations owned by the life company at the time of the merger or consolidation.

Companies may enter into certain agreements, etc.

Nothing in this section or in section sixty-three shall prevent any such life company from entering into an agreement for the purpose of protecting the interests of the company in securities lawfully held by it, or for the purpose of reorganization of a corporation which issued securities so held, and from depositing such securities with a committee or depositaries appointed under such agreement, nor from accepting corporate stock or bonds or other securities which may be distributed pursuant to any such agreement, or to any plan of reorganization; and nothing in this section or section sixty-three shall prevent any such life company from acquiring or holding any property acquired in satisfaction of any debt previously contracted, or that shall be obtained by sale or foreclosure of any security held by it; provided, that if the property owned be such as is prohibited for investment by such company, it shall dispose of such property, if personal, within one year, and if real estate, within five years, from the date when it acquired title to the same, unless the commissioner shall extend the time for such disposition for the reason that the interests of the company will suffer materially by a forced sale of such property.

May acquire property in satisfaction of debt, etc.

Proviso.

Extension of time for disposal of prohibited investments, etc.

A record of such extension shall be made by the commissioner, which shall state the time of the extension, and in that event the sale of said property may be made at any time before the expiration of the time of such extension.

Approved May 5, 1931.

An Act relative to the payment over of moneys collected on account of taxes and interest, including interest upon deposits of the same. *Chap.* 287

Be it enacted, etc., as follows:

Chapter sixty of the General Laws, as most recently amended in section two by section three of chapter sixty-five of the acts of nineteen hundred and twenty-six, is hereby further amended by striking out said section two and inserting in place thereof the following: — *Section 2.* Every collector of taxes, constable, sheriff or deputy sheriff, receiving a tax list and warrant from the assessors, shall collect the taxes therein set forth, with interest, and pay over said taxes and interest to the city or town treasurer according to the warrant, and shall make written return thereof with his tax list and of his doings thereon at such times as the assessors shall in writing require. He shall also give to the treasurer an account of all charges and fees collected by him. He shall, once in each week or oftener, pay over to the treasurer all money received by him during the preceding week or lesser period on account of taxes and interest, including any sums received as interest on moneys received by him on account of taxes and interest and deposited in any bank. *Approved May 5, 1931.*

G. L. 60, § 2, etc., amended.

Collection and payment over of taxes.

Written return, etc.

Weekly payment over of moneys collected on account of taxes and interest, including interest upon deposits.

An Act relative to the commitment of feeble minded persons. *Chap.* 288

Be it enacted, etc., as follows:

Section 1. Section sixty-six of chapter one hundred and twenty-three of the General Laws, as most recently amended by section seven of chapter two hundred and ninety-three of the acts of nineteen hundred and twenty-five, is hereby further amended by inserting after the word "certificate" in the eleventh line the words: —, except that the physician's examination of the alleged feeble minded person shall have occurred within ten days of the signing and making oath to the certificate, which shall bear date not more than twenty days prior to the commitment of such person, — and by inserting after the word "committed" in the fourteenth line the following sentence: — Such order shall be void if such person shall not be received at the school named therein within sixty days after the date of such order, — so as to read as follows: — *Section 66.* Any judge of probate, within his county, upon written application, if he finds that a person residing or being within said county is a proper subject for the Walter E. Fernald state school, the Belchertown state school or the Wrentham state school, may commit him thereto by an order of commitment, directed to the trustees thereof, made in accordance with section fifty-one, and accompanied by a certificate in accordance with section fifty-three by a physician, qualified as therein provided, that such

G. L. 123, § 66, etc., amended.

Order of commitment to certain institutions for feeble minded persons.

person is a proper subject for said school, and all provisions of said section shall apply to such certificate, except that the physician's examination of the alleged feeble minded person shall have occurred within ten days of the signing and making oath to the certificate, which shall bear date not more than twenty days prior to the commitment of such person. The order of commitment shall also direct the sheriff, deputy sheriff, constable, police officer, or other person to apprehend and convey the said person to the school to which he has been committed. Such order shall be void if such person shall not be received at the school named therein within sixty days after the date of such order. Unless the person sought to be committed is present at the time of the hearing, or the application is made by some one legally entitled to his custody, notice of the application and of the time and place of hearing shall be given to the person sought to be committed, and the order of commitment shall state what notice was given or the finding of facts which made notice unnecessary, and shall authorize custody of the person until he shall be discharged by order of a court or otherwise in accordance with law.

Order void, when.

G. L. 123, § 70, amended.

SECTION 2. Section seventy of said chapter one hundred and twenty-three is hereby amended by inserting at the beginning thereof the words: — Except as provided in section sixty-six, — so as to read as follows: — *Section 70.* Except as provided in section sixty-six, an order of commitment of a person to an institution shall be void if such person shall not be received at the institution within thirty days after the date of such order.

Commitment, order void, when.

Approved May 5, 1931.

Chap. 289 AN ACT RELATIVE TO THE MARKING OF CONTAINERS USED FOR THE SALE OF VINEGAR OTHER THAN UNDILUTED CIDER VINEGAR.

Be it enacted, etc., as follows:

G. L. 94, § 165, amended.

Chapter ninety-four of the General Laws is hereby amended by striking out section one hundred and sixty-five and inserting in place thereof the following: — *Section 165.* No manufacturer or producer of, or wholesale dealer in, vinegar shall, by himself or by his servant or agent, use a cask, barrel or other container for the sale, offering for sale, exchange or delivery of vinegar, or have such vinegar in possession in any cask, barrel or other container with intent to sell, offer for sale, exchange or deliver such vinegar therein, unless the container is plainly marked with the name and place of business of such manufacturer, producer or wholesale dealer, the kind of vinegar contained therein and the substances from which it is made and unless the following additional requirements as to the marking and labelling of the container are complied with: — If the vinegar is cider vinegar diluted to legal strength, the container shall be distinctly and con-

Marking of containers used for the sale of vinegar.

spicuously labelled, "Diluted to Legal Strength" or by other like words indicating such fact. Each compound, mixture or blend of vinegar shall be marked with the word "compound" or "mixture", together with a statement of its constituents and the percentage of each constituent. The principal label, including the word "compound" or "mixture", if used on vinegar in wooden packages, shall be in Roman letters not less than one inch high, properly spaced and in straight parallel lines with no more than two inches of space between each line. The marking of vinegar in other containers than wooden packages shall be governed by sections one hundred and eighty-six and one hundred and eighty-seven. Violation of any provision of this section shall be punished by a fine of not more than one hundred dollars. This section shall not apply to undiluted cider vinegar.

Penalty.

Not applicable to undiluted cider vinegar.

Approved May 6, 1931.

An Act relative to pensions payable by domestic insurance companies. *Chap.* 290

Be it enacted, etc., as follows:

Chapter one hundred and seventy-five of the General Laws is hereby amended by striking out section thirty-six and inserting in place thereof the following: — *Section 36.* Any domestic company, when authorized so to do by a vote in each case of not less than a majority of its directors, at a meeting called for the purpose, recorded in the minutes of the board, may grant a pension to any employee who has been continuously in the service of the company for ten years and who has become incapacitated for further service by reason of physical or mental disability resulting from sickness or injury, and may grant a pension to any employee retiring by reason of the infirmities of age who has been continuously in the service of the company for not less than fifteen years. No such pension shall exceed three fourths of the average salary of the employee for three years preceding the date of retirement, and any such pension shall be discontinued when any such pensioner substantially recovers his earning capacity.

G. L. 175, § 36, amended.

Pensions to employees of domestic insurance companies.

Any such company, with the written approval of the commissioner, may also establish an employees' savings fund or contributory pension system for the benefit of its aged or disabled employees, to which fund or system the employees shall contribute an amount not less than the amount contributed by the company.

Employees' savings fund or contributory pension system, establishment.

Approved May 6, 1931.

An Act relative to the sale of deer, moose, caribou or elk lawfully taken outside of the commonwealth. *Chap.* 291

Be it enacted, etc., as follows:

Section 1. Chapter one hundred and thirty-one of the General Laws, as appearing in section two of chapter three

G. L. 131, new section after § 129.

hundred and ninety-three of the acts of nineteen hundred and thirty, is hereby amended by inserting after section one hundred and twenty-nine the following new section: —

Sale of deer, moose, caribou or elk lawfully taken outside of state.

Section 129A. Any person may sell to a person licensed under section one hundred and thirty to deal therein the whole or any part of a deer, moose, caribou or elk legally killed by him outside of the commonwealth and legally transported therein; provided, that there is attached to some part of the body of such deer, moose, caribou or elk the game warden's tag allowing the same to be shipped from the state or country in which it was killed.

Proviso.

G. L. 131, § 124, amended.

SECTION 2. Section one hundred and twenty-four of said chapter one hundred and thirty-one, as so appearing, is hereby amended by inserting after the word "twenty-nine" in the third line the following: —, one hundred and twenty-nine A, — so as to read as follows: —

Sale, etc., of certain birds forbidden.

Section 124. No person, except as provided in section one hundred and twenty-five, one hundred and twenty-six, one hundred and twenty-seven, one hundred and twenty-nine, one hundred and twenty-nine A or one hundred and thirty, shall buy, sell, barter, exchange, or in any way deal in or trade with respect to, the dead or living bodies of birds or mammals, protected by the law in this commonwealth, whenever and wherever taken or killed. Whoever violates any provision of this section shall be punished by a fine of not less than fifty nor more than one hundred dollars.

Penalty.

Approved May 6, 1931.

Chap. 292 AN ACT ESTABLISHING THE DOYLE FIELD COMMISSION IN THE CITY OF LEOMINSTER AND AUTHORIZING SAID CITY TO ACQUIRE LAND TO BE USED WITH AN EXISTING PLAYGROUND FOR A RECREATION FIELD AND TO IMPROVE, MAINTAIN AND CONDUCT SUCH FIELD.

Be it enacted, etc., as follows:

Doyle field commission, establishment in city of Leominster, membership, terms.

SECTION 1. There is hereby established in the city of Leominster, hereinafter referred to as the city, a commission, to be known as the Doyle field commission, hereinafter referred to as the commission, which shall consist of the mayor for the time being, ex officio, the superintendent of schools for the time being, ex officio, and three others to be appointed from among the citizens at large by the mayor, subject to confirmation by the city council. Of the three initial appointees one shall so be appointed for a term of three years, one for a term of two years and one for a term of one year, and as their respective terms expire their successors shall so be appointed for terms of three years.

City may acquire by deed of gift certain land of Bernard W. Doyle, and said land including both Robbins park and any additional land

SECTION 2. The city may, by majority vote of the city council approved by the mayor, acquire by deed of gift from Bernard W. Doyle or otherwise certain land in said city situated on both sides of Priest street and shown on a plan entitled "Land of Bernard W. Doyle" made by Wm. P. Ray, C.E., dated April sixth, nineteen hundred and thirty-

one, and filed in the Worcester northern district registry of deeds, which land is adjacent to land known as Robbins park now owned and held for playground purposes by the city, subject to such conditions and restrictions affecting the land acquired and said Robbins park as shall be specified in the deed of gift and as shall not be inconsistent with the purposes of this act, and may agree to such conditions and restrictions either by acceptance of the deed of gift or by joining in it. The city may acquire from time to time by gift, purchase or otherwise and subject to such conditions and restrictions as the commission shall approve, additional land which shall be subject to the provisions of this act. The said land, including both said Robbins park and the land so acquired, and the buildings and structures thereon, shall be known as Doyle field and the commission shall have the full and exclusive control and direction of it, notwithstanding any action the city may take or may have taken under chapter forty-five of the General Laws. The commission in the name and behalf of the city and for the public use may erect buildings and other structures upon said Doyle field; may enclose and keep enclosed the whole or any part of the land, buildings and structures, provide proper equipment therefor, employ and discharge all necessary caretakers, instructors, teachers and other employees, who shall not be subject to chapter thirty-one of the General Laws and may hold, manage, control, lease and let said property exclusively for the purposes of enjoyment and encouragement of recreation, play, sports, physical education, athletics, and for such civic, patriotic and educational celebrations, exhibitions and entertainments as the commission shall see fit, and for any use necessary or convenient for said purposes; may make rules and regulations governing said Doyle field; and may charge admission thereto or allow charges for admission thereto to be made.

acquired, to be known as Doyle field.

May erect structures, provide equipment therefor, employ caretakers, instructors, etc.

May manage, lease and let property for athletic, etc., purposes.

May charge admission, etc.

Section 3. The city may raise and appropriate money to the use of the commission for the following uses and purposes, namely:

City may appropriate money to use of commission for certain purposes.

For the care and maintenance of said Doyle field, the acquisition of additional land, and the care and repair of buildings and structures thereon.

For the equipment and improvement of the grounds and the construction, alteration and enlargement of buildings and structures thereon.

For the employment of caretakers, instructors, teachers and other persons who may in the discretion of the commission be necessary adequately to maintain said field and conduct the activities thereon.

For the support and encouragement of recreation, play, sports, physical education, athletics, and civic, patriotic and educational celebrations, exhibitions and entertainments in said field pursuant to its general purposes.

Section 4. All revenue received by the commission under this act shall be paid into the treasury of the city. The

Revenue received by commission to be

paid into city treasury, etc.

commission shall annually, or oftener if requested by the mayor and the city council of the city, file with the mayor and the city council an itemized and detailed statement of all revenue received from and all expenditures made on account of said field and the buildings and structures thereon.

Certain persons eligible for appointment as members of commission, etc.

SECTION 5. Members of the playground commission of the city or of any board or department that shall have charge of parks or playgrounds, shall be eligible for appointment as members of the commission hereby created; and the city may hereafter give said last mentioned commission jurisdiction over other playgrounds and recreation centers to exercise powers conferred on the city by present or future laws relating to playgrounds.

Effective upon acceptance by vote of city council, etc.

SECTION 6. This act shall take full effect immediately upon its acceptance during the current year by vote of the city council of said city of Leominster, notwithstanding any provision of its charter to the contrary, but for the purpose of such acceptance it shall take effect upon its passage.

Approved May 7, 1931.

Chap. 293 AN ACT AUTHORIZING THE CITY OF SPRINGFIELD TO TAKE OVER, MAINTAIN AND MANAGE AS A MEMORIAL CERTAIN PROPERTY OF E. K. WILCOX POST NO. 16, DEPARTMENT OF MASSACHUSETTS, GRAND ARMY OF THE REPUBLIC.

Be it enacted, etc., as follows:

City of Springfield may accept in trust a conveyance of the land and building of E. K. Wilcox Post No. 16, Department of Massachusetts, Grand Army of the Republic.

SECTION 1. In pursuance of a vote of E. K. Wilcox Post No. 16, Department of Massachusetts, Grand Army of the Republic, a corporation duly organized by law, passed at a special meeting held March fourteenth, nineteen hundred and thirty-one, which vote is recorded on the books of the said corporation, William H. Waterman, president, Otto F. Fogelstrand, clerk or secretary, and the board of directors of said corporation as named in said vote, or a majority of said persons or of their successors as such officers and directors, are hereby authorized to convey in trust to the city of Springfield the land and building owned by said corporation and located on State street in said city, together with the personal property of said corporation contained therein, and said city is hereby authorized to accept the same upon the terms and conditions herein set forth and upon such others as may be agreed upon between said corporation and said city, and subject to all unpaid taxes thereon, which the assessors of said city are hereby authorized to abate; provided, that such conveyance and transfer of possession thereunder shall occur within one year after the passage of this act.

Proviso.

Building to be maintained as a memorial to civil war veterans, etc.

SECTION 2. The said city, in consideration of such conveyance and acceptance, shall maintain said building, under the name of the Grand Army Hall, as a memorial to the men of Springfield who served in the army or navy of the United

States in the civil war, and shall keep the building in good repair and properly equipped, heated and lighted. So long as the E. K. Wilcox Post No. 16, Department of Massachusetts, Grand Army of the Republic, an unincorporated association, shall continue in existence, it shall enjoy, free of rent, the use, occupancy and benefits of said building in its present condition to the same extent and in the same manner as it now uses and occupies said building. In the event of the complete or partial destruction of said building by fire or other unavoidable casualty, or if, in the opinion of the mayor and city council of said city, said building, after said unincorporated association has ceased to exist, should become unsuitable by reason of location or otherwise for the purposes to which it is now devoted, or to which it is to be devoted, said city may sell said real estate, and the proceeds of such sale, and/or of any insurance policies on said property shall be converted by said city into a fund to be used for the purpose of erecting or providing a suitable memorial to perpetuate the memory of the men who fought in the civil war, and any surplus remaining after the erection or acquisition of such memorial shall be safely invested and the income therefrom shall be used for the relief of the indigent families or descendants of persons who served in the military or naval forces of the United States in time of war and were honorably discharged from such service or released from active duty therein, or for other charitable, patriotic or benevolent purposes. Said city may at any time erect on the land referred to in section one a new building to take the place of the one now existing, if the same be destroyed by fire or otherwise.

In case of certain events, city may sell building, etc.

Proceeds to be converted into fund for erection of memorial to perpetuate memory of civil war veterans.

Disposition of income of surplus, etc.

Section 3. There shall be an unpaid board of five trustees to be appointed by the mayor of said city, with the approval of the city council thereof, to serve for terms of three years each, except that of the initial appointees one shall serve for one year, two for two years and two for three years. Any vacancy shall be filled in the same manner as the original appointment. A majority of the trustees shall always be descendants of men who served in the army or navy of the United States during the civil war and were honorably discharged therefrom; provided, that a sufficient number of such persons suitable so to serve can be obtained. Preference in the office of trustee shall next be given to persons who have served in the military or naval forces of the United States and were honorably discharged from such service or released from active duty therein. No person, however, shall be appointed as trustee unless he is a native born citizen of the United States, is above the age of thirty years, and has been a resident of said city for at least five consecutive years preceding his appointment. The mayor shall designate one member of the board as chairman, and the board shall elect one of its members as secretary. Any member or members of said board may be removed by the mayor for cause. Said board of trustees shall have the charge and care of the property referred to in section one

Board of trustees, appointment, terms.

Vacancies.

Majority of trustees to be descendants of men who served in civil war.

Proviso.

Qualifications of trustees.

Chairman and secretary of board.

Board to have charge and care of property, etc.

and of the maintenance of any building thereon, and, subject to the approval of the mayor and city council, may at any time, subject to any existing lease, devote the whole or any part of said building to the purposes as set forth in this act; shall make all necessary rules and regulations relative thereto; shall appoint a custodian therefor, who shall be exempt from the civil service laws and the rules and regulations thereunder, and other necessary officers or employees for the care of said building; shall fix their compensation, and may at any time remove them; shall fix and receive any rentals to be derived from the use of any part of the present or of any future building under its control; shall devote the proceeds of such rentals to the maintenance of such building; and shall use any surplus for the relief of the indigent families or descendants of persons who served in the military or naval forces of the United States in time of war and were honorably discharged from such service or released from active duty therein, or for other charitable, patriotic or benevolent purposes.

Custodian, etc.

Rentals, disposition of proceeds, etc.

Surplus, how used.

When act takes effect.

SECTION 4. So much of this act as authorizes the conveyance of the property described in section one to said city of Springfield and its acceptance by said city shall take effect upon its passage, and the remainder thereof shall take effect upon such acceptance. *Approved May 7, 1931.*

Chap. 294 AN ACT PROVIDING FOR THE CONSTRUCTION OF A MUNICIPAL BUILDING ON FRANKLIN FIELD IN THE DORCHESTER DISTRICT OF THE CITY OF BOSTON.

Be it enacted, etc., as follows:

City of Boston may borrow money and issue bonds for construction of a municipal building on Franklin field in Dorchester district.

SECTION 1. For the purpose of constructing a municipal building on Franklin field in the Dorchester district of the city of Boston, said city may borrow from time to time, within a period of five years from the passage of this act, such sums as may be necessary, not exceeding, in the aggregate, five hundred thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Franklin Field Municipal Building Loan, Act of 1931. Each authorized issue shall constitute a separate loan, and such loans shall be paid in not more than fifteen years from their dates, but no issue shall be authorized under this section unless a sum equal to an amount not less than ten per cent of such authorized issue is voted for the same purpose to be raised by the tax levy of the year when authorized. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall, except as herein provided, be subject to the laws relative to the issuance of debt by the city of Boston. The proceeds of the loan herein authorized shall be used only for the purposes herein specified. The aforesaid municipal building shall be so designed as, in the judgment of the city, to best serve the community by providing quarters for municipal departments and for veteran

Franklin Field Municipal Building Loan, Act of 1931.

and civic organizations that may under the law be supplied by the city, and as a community center.

Submission to city council, etc.

Section 2. This act shall take effect upon its acceptance during the current year by vote of the city council of said city, subject to the provisions of its charter, but not otherwise. *Approved May 7, 1931.*

An Act providing for the construction of a municipal building in the Fields Corner section of the Dorchester district of the city of Boston. *Chap.* 295

Be it enacted, etc., as follows:

City of Boston may borrow money and issue bonds for construction of a municipal building in the Fields Corner section of Dorchester district.

Dorchester Municipal Building Loan, Act of 1931.

Section 1. For the purpose of constructing a municipal building in the Fields Corner section of the Dorchester district of the city of Boston, said city may borrow from time to time, within a period of five years from the passage of this act, such sums as may be necessary, not exceeding, in the aggregate, five hundred thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Dorchester Municipal Building Loan, Act of 1931. Each authorized issue shall constitute a separate loan, and such loans shall be paid in not more than fifteen years from their dates, but no issue shall be authorized under this section unless a sum equal to an amount not less than ten per cent of such authorized issue is voted for the same purpose to be raised by the tax levy of the year when authorized. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall, except as herein provided, be subject to the laws relative to the issuance of debt by the city of Boston. The proceeds of the loan herein authorized shall be used only for the purposes herein specified. The aforesaid municipal building shall be so designed as, in the judgment of the city, to best serve the community by providing quarters for municipal departments and for veteran and civic organizations that may under the law be supplied by the city, and as a community center.

Submission to city council, etc.

Section 2. This act shall take effect upon its acceptance during the current year by vote of the city council of said city, subject to the provisions of its charter, but not otherwise. *Approved May 7, 1931.*

An Act authorizing the town of Amherst to use certain land for park purposes. *Chap.* 296

Be it enacted, etc., as follows:

Town of Amherst may use certain land for park purposes.

Section 1. The town of Amherst is hereby authorized to alter the use of a parcel of land situated between Main and Lessey streets in said town and easterly of College avenue and commonly called the Gates lot, said parcel having been taken by said town in nineteen hundred and sixteen by eminent domain as a site for a public library building by an

order of taking evidenced by an instrument duly recorded in the registry of deeds for Hampshire county in book seven hundred and nineteen at page five hundred and thirty-one; and said town may hereafter hold and use the same for public park purposes.

SECTION 2. This act shall take effect upon its passage.

Approved May 12, 1931.

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*Chap.*297 AN ACT AUTHORIZING THE CITY COUNCIL OF THE CITY OF BOSTON, WITH THE APPROVAL OF THE MAYOR, TO FIX FEES FOR CERTAIN LICENSES AND PERMITS, AND TO ESTABLISH AND FIX FEES FOR THE QUALIFICATION OR WARRANT OF CERTAIN OFFICERS.

Be it enacted, etc., as follows:

The city council of the city of Boston may, with the approval of mayor, fix fees for certain licenses and permits.

SECTION 1. In the city of Boston the city council, with the approval of the mayor, shall have the power to fix the fees for licenses or permits for which a fee is collected at the date of the passage of this act under authority of statutes then existing in all cases where the entire proceeds of such fees form part of the income of the city, but excepting fees for marriage licenses or for licenses granted by the mayor under chapter four hundred and ninety-four of the acts of nineteen hundred and eight and its amendments and additions. Until action is taken under this act in respect to any fee subject to its provisions, the same shall remain as established on said date.

May establish and fix fees for qualification or warrant of certain officers.

SECTION 2. The city council of said city, with like approval, may establish and fix fees to be paid to the city clerk for the use of said city for the qualification or warrant of any officer, appointed by the mayor and confirmed by the city council, whose compensation is derived from fees charged for the exercise of powers conferred by such appointment.

Inconsistent provisions of law not applicable in city of Boston.

SECTION 3. All provisions of law, in so far as inconsistent with the provisions of this act or with any action authorized hereunder, shall not apply in the city of Boston.

SECTION 4. This act shall take effect upon its passage.

Approved May 12, 1931.

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*Chap.*298 AN ACT TO AUTHORIZE THE TOWN OF SHARON TO ACQUIRE CERTAIN PROPERTY AND WATER RIGHTS OF THE PLYMOUTH RUBBER COMPANY, INC.

Be it enacted, etc., as follows:

Town of Sharon may acquire certain property and water rights of the Plymouth Rubber Company, Inc.

SECTION 1. The town of Sharon may acquire by purchase the land and buildings of the Plymouth Rubber Company, Inc. adjacent to Massapoag pond and Hammershop pond, so called, in said town, including the dam and flume house at the outlet of said Massapoag pond and the water rights of said company in said ponds.

May borrow money, issue bonds, etc.

SECTION 2. For said purpose the town of Sharon may borrow from time to time, within a period of five years from

the passage of this act, such sums as may be necessary, not exceeding, in the aggregate, five thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Town of Sharon-Massapoag and Hammershop Pond Loan, Act of 1931. Each authorized issue shall constitute a separate loan, and such loans shall be paid in not more than five years from their dates, but no issue shall be authorized under this act unless a sum equal to an amount not less than ten per cent of such authorized issue is voted for the same purpose to be raised by the tax levy of the year when authorized. Indebtedness incurred under this act shall be inside the statutory limit but shall, except as provided herein, be subject to chapter forty-four of the General Laws, exclusive of the limitation contained in the first paragraph of section seven thereof, as revised by chapter three hundred and twenty-four of the acts of nineteen hundred and twenty-eight.

Town of Sharon-Massapoag and Hammershop Pond Loan, Act of 1931.

Section 3. This act shall take effect upon its passage.

Approved May 12, 1931.

An Act dissolving certain corporations. *Chap.* 299

Whereas, It is necessary that certain delinquent and other corporations be dissolved in the current year, therefore this act is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Emergency preamble.

Be it enacted, etc., as follows:

Section 1. Such of the following named corporations as are not already legally dissolved are hereby dissolved, subject to the provisions of sections fifty-one, fifty-two and fifty-six of chapter one hundred and fifty-five of the General Laws: —

Certain corporations dissolved.

A. A. Smith Inc., A & R Sales Corporation, A. B. C. Bakeries Incorporated, A. Brezner Leather Company, Inc., A. C. Kennedy Radio Company, A. Di Pietro Co., A. F. Chamberlain & Co., Incorporated, A. F. Clark Lumber Company, A. Frazzini Company, Inc., A. G. Thurston Machine Co., A. J. Grenier Architect and Construction Company, Incorporated, A. M. Hatch Lumber Company, Inc., A-1 Motor Sales Co. Inc., A. R. Robinson Co., Inc., A. S. Nichols Company, A. T. Bridges Co., Incorporated, A Tiv Gno Company, Abbott-Connolly Construction Company, The, Abbott-McKay Corporation, Abbotts, Inc. of Boston, Abenaki Production Company, Aberdeen Apartments, Inc., Abington Mining Company, Abram Gunsenhiser's Sons Inc., Acushnet Iron Foundry, Ad-Art Studios, Inc., Adams Glass Factory, The, Adams Products Incorporated, Adams Sugar Refinery (1865), Adams Sugar Refinery (1870), Adams Woolen Mills, Inc., Addette Specialty Shoppe Inc., The, Advertisers Press, Inc., The, Aerator Company, Aerial Services Company, Inc., Aetna Investment Corporation, Agassiz Realty Corporation, Agawam Manufacturing Company

Certain corporations dissolved.

(1810), Agawam Manufacturing Company (1846), Aguna Mahogany & Timber Company, Air Service of New England, Inc., Airport Development Company, Airway Rubber Corporation, Albemarle Sales Company, Albert H. McAuslan, Inc., Alfred Kimball Shoe Co., Alger Iron and Steel Company, Alheit Display Case Co., The, Allen and Howe Company, Incorporated, Allen B. Farmer, Inc., Allen-Plunkett Co., Alleyne Pharmacy Inc., Allinmesh Transmission Company, Allston Amusement Company, Almac Investment Corporation, Alta California Copper Mining Company, American Airmobile Corporation, American Automatic Fastener Co., American Bed Chair Company, American Cannel Coal Company, American Coat and Apron Supply Company, American Composite Marble Company, American Copper Company, American Cordage and Webbing Company, American Dining Car Company, Inc., American Factory Products Co., The, American Fire Extinguisher Company, American Garage, Inc., American Glass Company, American Hall Company, American Hardware Company, American Heel Company, American Hotel Company (1856), American Inventors' Association, American Lasting Machine Company, American Linen Company, American Management Corporation, American Manufacturing Company (1854), American Marble Statuary Company, American Metal Specialty Company, Inc., American Metric Bureau, American Mortising Machine Company, American Motor of New England, Inc., American Motor Tours Company, American Paper Company, American Paper Folding Company, American Papeterie Company, American Patent Sail Company, American Powder Company (1841), American Print Works, American Publishing Company, American Railroad Construction and Land Company, American Rubber Heel Stiffening Company, American Safety Brake Manufacturing Company, American Salvage Corporation, American Scale Company, American Sewing Machine Company, American Stamping Corporation, American Stationers Company, American Steamship Company, American Television Corporation, American Underwriters Limited Inc., American Upholstering Company, American Water Meter Company, American Wheat Company, Amesbury Machine Company, Amesbury Wool and Cotton Manufacturing Company, The, Amherst Cotton Factory, Amherst Silk Association, Amherst Silk Company, Ampola Knitting Mills, Inc., Anchor Oil Company, Anderson Fog Horn Company, Apartment Investment Corp., Apollo Lunch Inc., Appleton House Company, Arcade Manufacturing Company, Archimedian Company, Ardo Manufacturing Corporation, Argus Manufacturing Company, Arkian Clothing Manufacturing Company, Inc., Arkwright Company, Arkwright Mills, The, Arlington Mills (1899), Arnold Glove Grip Boot Shop of Chicago, Inc., Arnold Glove Grip Boot Shops, Inc., Aronson Bros. Shoe Co. Inc., Aronson Coat Company, Aroostook Pulp and Paper Company, Arrow Coach, Inc., Art Craft

Certain corporations dissolved.

Upholstering Company, Artcraft Sign & Advertising Co., Inc., Artesian Well Association, Arthur E. Dorr & Co. Inc., Arthur Maxwell Co., Aselton & Sons, Inc., Ashburnham Cotton Factory Company, Ashburton Corporation, Ashburton House Company, Ashby Steam Manufacturing Company, Ashland Manufacturing Company (1846), Ashley Falls Company, Ashwell Manufacturing Company, The, Assabet Manufacturing Company (1849), Associated Auto Owners Service Inc., Associated Laboratories, Inc., Associated Proprietors of Lumber in Merrimack River, The, Associated Service Bureaus, Inc., Associated Tailors and Cleansers, Inc., Assonet Oil Storage Company, Astor Productions, Inc., Atherton Manufacturing Company, The, Athol Amusement Company, Atlantic and Pacific Airways, Inc., Atlantic Gelatine Company, Atlantic Kompost Co., Atlantic Realty Corporation, The, Atlantic Shoe Company, Atlas Hat, Inc., Atlas Service Company, Atlas Shoe Company, Atlas Tire Company, Attleboro Hub Shoe Store, Inc., Attleboro Specialty Company, Auburn Motors Incorporated, Aunt Tibbey's Home Made Candies, Incorporated, Automatic Coal Burner Corporation, Automatic Creamer Company, Automatic Merchandizer of Connecticut, Inc., The, Automobile Bourse, Inc., The, Automobile Leasing Corporation, Automobile Service Bureau Inc., Automotive Used Car Corporation, Avenue Garage Company.

B. Hochberg & Sons, Inc., B. M. Powell, Inc., Babylonian Rug Company, Bacheller & Broad, Inc., Back Bay Improvement Company, Baker's Garage Inc., Balco Syndicate, Inc., Baldwin Company, Balin Motion Pictures Inc., Ballard Vale Company, Bancroft Bottling Corporation, Bancroft Construction Company, Bankers Financial Service, Inc., Banner of Light Publishing House, Banner Shoe Co., Inc., Barber Tanning Company, Barium Manufacturing Company, Barnard & Company Incorporated, Barrese, Inc., The, Barristers' Hall in Court Square, Proprietors of, Barton Manufacturing Company, Barton Point Association, Bascom's, Inc., Bata Shoe & Leather Company, Bathing House in Boston, The Proprietors of the (1805), Bausch & Lomb Optical Company of Massachusetts, Bay State Associates, Inc., Bay State Chemical Company (1872), Bay State Cotton Corporation, Bay State Luggage Company, Bay State Mills, Bay State Realty Corporation, Bay State Screw Company, Bay State Securities Company, Bay State-Segal Company, Bay State Silver Mining Company, Beacon Gold Mining Company (1864), Beacon Realty Corporation, Beacon Storage Warehouse Company, Bearse & Chamberlin, Inc., Beaudet Iron Foundry, Inc., Beaudette & Graham Company, Beaver Brook Manufactory, Bee Printing Company, Bell Brothers Company, Bellevue Hospital, Inc. of Chicopee, Massachusetts, The, Bellingham Spa & Cafeteria Inc., Bellows Falls Electric Company, Bellows Falls Power Company, Bellows Falls Theatre Operating Company, Bemotown Company, Ben Marsh Shoe Company, Benjamin

Certain corporations dissolved.

Express Co., Benjamin F. Tripp, Inc., Benlyn Company, Bennett Libraries, Inc., The, Bennett Manufacturing Corporation, The, Bens & Company, Inc., Berger Dry Goods Company, Inc., Berkshire Cotton Manufacturing Company (1834), Berkshire Ice Cream Co. Inc., Berkshire Iron Works, Berkshire Marble Company, Berkshire Mining Company, Berkshire Silk Company, Berkshire Trout Hatchery Club, The, Berkshire Warehouse Company, Berman-Levine Co., Berry Brothers Inc. of Massachusetts, Betts & Smith Lighterage Co., Beverly Wood Heel Company, Bickford's Inc., Big River Mining Company, Bigelow, Reed & Co., Inc., Biggers Farm Oil Company, Biltmore Cafeteria of Everett, Inc., Biltmore Hall, Inc., Bircham Bend Power Company, Birmingham Factory, Bi-tu-mite Coal Company, Black Bros. Inc., Blackstone Coal Mining Company, Blanchard & Son Co., Blanchard Machine Company (1895), Blanchard's Gun Stock Turning Factory, Bliss & Perry Co., Bliss Manufacturing Company (1848), Blue Hill, Inc., Blue Hill-Intervale Realty Corporation, Bob Ott, Incorporated, Bobgert Company, Boltz Airport Inc., Bon Ton Shoe Manufacturing Co., Bond Village Manufacturing Company, Bonnar-Atwood Studios, Inc., "Booklets" Consolidated, Incorporated, Boston and Austin Silver Mining Company, Boston and Bangor Steam Boat Company, Boston and Big Sandy Oil Company, Boston and Charleston Steamship Company, Boston and Chelsea Paper Company, Boston and Chicago Adjustable Car Company, The, Boston and Concord Boating Company, Boston and Cuba Steamship Company (1866), Boston and European Steam-ship Company, Boston and Gloucester Granite Manufacturing Company, Boston and Hingham Steam Boat Company, Boston and Ipswich Lace Company, Boston and Kennebec Steam-boat Company (1856), Boston and Kennebec Steamboat Company (1867), Boston and Lackawanna Coal Company, Boston and Lowell Manufacturing Company, Boston and Lowell Stage Company, Boston and Millbury Water Power and Manufacturing Company, Boston and New Bedford Oil Company, Boston and New Orleans Steam-ship Company, Boston and New York Coal Mining Company, Boston and New York Steam-ship Company (1857), Boston and New York Steamship Company (1864), Boston and North Cambridge Omnibus Company, Boston and North Carolina Turpentine Company, Boston and Norwegian Coal Company, Boston and Portsmouth Steam Boat Company, Boston and Providence Citizens Coach Company, Boston and Provincetown Steamboat Company, Boston & Reading Silver Mining Company, Boston and St. John Navigation Company, Boston and Salamanca Lumber and Mining Company, Boston and Savannah Steamship Company (1867), Boston and Virginia Steamship Company, Boston Bath and Wash-House Company, Boston Bay Mortgage Corporation, Boston Bed-Pan and Hospital Supply Company, Boston Bennyhoff Reserve Oil Company, Boston Bewick Company, Boston Book and

Certain corporations dissolved.

Paper Manufacturing Company, Boston Brewery Company, Boston. Brick Manufacturing Company, Boston Caddo Oil Company, Boston Calico Works, Boston Chemical Company (1854), Boston Chemical Laboratory, Boston Chemical Printing Company, The, Boston Civic Theater Company, The, Boston Commercial Exchange Building Company, Boston Co-operative Associates, Inc., Boston Co-operative Shoe Mfg. Co., Boston Copper Company, Boston Cordage Manufactory, Boston Cotton and Woollen Manufacturing Company, Boston Development and Sanitary Company, Boston Discount Company, Inc., The, Boston Dress Shops, Inc., Boston Excavating Company, Boston Faucet Company, Boston Flint Glass Company, Boston Fruit & Fish Co., The, Boston Furniture Market, Inc., Boston Gas Meter Manufacturing Company, Boston Glass Bottle Manufacturing Company, Boston Glass Manufactory, Boston Granite Company, Boston Hand Stamp Company, Boston Harbor Ice and Tow Boat Company, Boston Hat Manufactory, The, Boston Hydraulic Company, Boston Hydraulic Dock Company, Boston India Rubber Factory, Boston Kansas Company, Boston Market House Company, Boston Massasoit Waste Co., Boston Mechanical Bakery Company, Boston Merchants' Exchange, Boston Mill Corporation, The, Boston Mill Supply Co., Inc., Boston Mining Company, Boston Minwool Insulating Company, The, Boston Model Bakery Inc., Boston Motor Tours, Incorporated, Boston Navigation Company, Boston Neck Turnpike Corporation, Boston Novelty Shoe Mfg. Co., Boston Oil Cloth Company, Boston Oil Company (1846), Boston Palm Gardens, Inc., Boston Pants Company, Boston Paper Collar Manufacturing Company, Boston Pearl Manufacturing Company, Boston Porcelain and Glass Company, Boston Porcelain Company, Boston Pottery Company, Inc., Boston Range Oil Burner Corporation, Boston Recharging Service Company, Boston Relief and Submarine Company, Boston Rice Mill Company, Boston Shoe Machinery Corp., Boston Silk and Woollen Mills, Boston Silk Manufacturing Company, The, Boston Soap Stone Manufactory, Boston South Steam Cotton Mill Company, Boston Specialty Machinery Company, Boston Steam Boat Company, Boston Steam Dock Company, Boston Steam-Engine Company (1852), Boston Steam Factory, Boston Steam Flour Mill Company, Boston Steam Supply Company, Boston Steam Tow-Boat Company, Boston Stone Dressing Company, Boston Stove Foundry Company (1854), Boston Sugar Warehousing Company, Boston Tavern Inc., Boston Type and Stereotype Foundry, Boston Union Manufacturing Company, Boston Warehouse Company, Boston Wool Company, Boston Wool Sales Company, Boston Wrought Nail Company, Boston Yarn Company, Bournehurst Amusement Company, The, Bouvé School, Inc., The, Bowden & Leblanc, Inc., Bowditch Manufacturing Company, Bowditch Mills, Bowers & Co., Inc., Boyden Malleable Cast Iron and Steel Company, Boys

Certain corporations dissolved.

Store, Inc., The, Bozart Rug Company, Bracy-Forbes Company, Bradford Mill Supply Co., Bradford Mortgage Corporation, Bradford Terrace Co., Inc., Bradford's Clothes Shops, Inc., Bradlee and Chatman Company, The, Bradley & Prescott Inc., Braintree and Weymouth Coal Company, Braintree Cotton Manufacturing Company, Braintree Manufacturing Company, Brattle Square Amusement Company, Breck-Robinson Nursery Company, Breezy Acres Inc., Brenda Brownie Company, Brenner & Brody Shoe Co., Bridge St. Garage, Inc., Bridgewater Inn Garage, Incorporated, Bristol and Norfolk Mining Company, Bristol Baking Company Inc., Bristol Cotton Manufacturing Company, Bristol Print Works, Bristol Printing Company, Bristol Textile Company, Broad Marsh Dyking Company, Broad Mountain Coal Company, Broad Street Association in the Town of Boston, The, Broad Street Garage of Lynn, Inc., Broadway Theater Company, Brockton Die Company, Bromfield Realty Corporation, Brookline Amusement Company, Brookline Hotel Company (1859), Brookline Pharmacy, Inc., Brown Bros. Piano Co., Brown Woollen Mills, Bryant Milling Company, The, Bubbins & Co., Inc., Buchanan Construction Company, Buchanan Park, Inc., Buel Mining Company, Builders Brick Company, The, Builders Lumber & Supply Company, Builders Supply Corporation, Building and Home Specialty Co., Bunker Hill Rubber Company, Incorporated, Bus Bar, Inc., Buzzard's Bay Cranberry Corporation, Byron W. Anthony Company.

C. A. Chandler Advertising Company Inc., C. A. Cook Co., C. A. Donovan Co., C. & D. Shoe Co. Inc., C. & H. Securities Company, C and K Upholstering Company, C. & M. Metal Products Corporation, C & R Cafe, Incorporated, C. B. Faith Company, C. B. Oulton Company, C. C. & F. A. Burns, Inc., C. C. Dodge Co., C. E. Sault Co., The, C. H. A. Schmitt Co., C. H. Graham Furniture Co., C. L. Rice Company, The, C. S. Lawler Company, C. T. Bent, Inc., Cabot Manufacturing Company (1832), Caffé Roma, Inc., Cahill Hotel Co., Calandrello Brothers Company Inc., Caleb's Pond Company, Calico Printing Manufacture, The Proprietors of the, California Fruit, Inc., Callahan & Williams, Incorporated, Callahan Company, Inc., Cambridge Building Finish Company, Cambridge Cattle Market, Cambridge Casino, Cambridge Glass Company, Cambridge Nash Corporation, Cambridge Novelty Wooden Box Co., The, Cambridge Port Manufactory, Cambridge Salvage Supply Co. Inc., Camden Garage Company, Cameo Shoe Company, Camp Assabet Lodge, Inc., Campbell Drug Co. Inc., Can-Am Construction Company, Canal Manufacturing Company, Canal Street Garage, Inc., Canane Motor Company, Canton Manufacturing Company (1829), Cape Ann Granite Company (1867), Cape Ann Steam Cotton Manufactory, Cape Breton Mining and Development Corporation, Cape Cod Glass Company, Cape Cod Machine Company, Capital Service Company, Capitol Dress Co., Capitol Holding Cor-

poration, Capitol Shoe Company, Capitol Shoe Mfg. Co., Capitol Taxi Company, Capitol Wholesale Grocery, Incorporated, Capitol Wholesale Millinery Company, Carl Schindler, Inc., Carleton Realty Co., Carlrobin Company, Carlton Shoe Company, Inc., Carroll & Richmond Inc., Carroll-Richmond-Donovan, Inc., Carter Insurance Agency, Inc., Carver Cranberry Company, Cashiko Machine Company, Caustic-Claflin Company, Central Leather Company, Inc., Central Manufacturing Company, The (1813), Central Mills, Central News and Delicatessen Company, Century Amusement Company, Chace, Inc., Chalifoux Company, The, Chalifoux Dry Goods Company, Champion Coating Company, Chandler-Cleveland Motor Car Company, Chandler Holyoke Company, Inc., Chandler Motors of Allston, Inc., Channing Realty Corporation, Chappaquiddic Company, Chappaquiddick Improvement Company, Charles A. Bohn Company, Chas. A. Nash, Inc., Charles and Company, Inc., Charles E. Fogg Company, Charles H. Williston Company, Charles J. Jager Company, Charles-Mann Publishing Co., Inc., Charles River Ice Company, Charles S. Norris Incorporated, Charles W. Bahr Company, Charlestown Lead Company, Charlestown Steam Cotton Factory, Charlton Petroleum Corporation, Chase Motor Sales, Inc., Chatham Lock Company, Chebacco Poultry Farms, Inc., Cheeryway Food Products Company, Chelmsford Glass Company, Chelsea Brick Manufacturing Company, Chelsea City Garage, Inc., The, Chelsea Land Company, Chelsea Manufacturing Company, Chelsea Marsh, Proprietors of, Chelsea Square Garage, Inc., Chelsea Steam Cotton Company, Chelsea Taxi Company, Chemical Dyeing and Printing Company, Cheney Express Company, Cheney Silk Mills, Chesapeake and Ohio Coal Agency Company, Cheshire Crown Glass Company, Cheshire Glass Manufactory, The, Cheshire Iron Works, Chester Company, Inc., Chester Glass Company, Chestnut Construction Co., Inc., Chestnut Hill Garage, Incorporated, The, Chevrolet Dealers Association of Boston, Inc., Chicago Beef Co., Inc., Chicago Wool Company of Massachusetts, Chicopee Falls Company, The, Child-Craft Co., The, Childrens Supplies Inc., Children's Vehicle Corporation, Chinitna Bay Exploration Company, Chironis Company, Inc., Chrysanthie Corporation, The, Churchill Company, Citizens' Building Association, City Druggists' Service Company, City Flour Mills at Newburyport, City Manufacturing Company (1822), City Mills Company (1835), City Realty Company, Claflin Mills, Clapp & Tilton Company, Clapp-Eastham Company, Clarence I. Smith, Inc., Clarence Irving Construction Company, Clarence T. Rocheford, Inc., Clarke & Stevens Co. Inc., Clarke's Lunch, Inc., Cleaves and Pine Inc., Cleveland Circle Realty Corporation, Clifton Shoe Co., Clinton Steam Power Company, Clintonville Machine Shop, Cloverknoll Dairy Company, Club Moosilauke, Inc., Coffee Cup Lunch, Inc., Coffin Motor Company, Inc., Cofran-Bishop Company,

Certain corporations dissolved.

Certain corporations dissolved.

Cogan Furniture Co. Inc. of Marlboro, Mass., Coggan & Sherman, Inc., Cohen-Barron Inc., Cohen Coill Company, Inc., Co-investment Finance Corporation, Coiteux Realty Company, Inc., Cold Bay Exploration Company, Cold Spring Iron Works, Coldak Corporation of New England, Cole & Mills Inc., Collateral Investment Corporation, Collateral Securities Corporation, Colleary-Purcell Company, College Inn, Inc., Collins Dress, Inc., Colonial Braiding and Weaving Company, Colonial Cafeteria, Inc., Colonial Leather Products Co., Colonial Paper Co., Color Printing Attachment Company, Columbia Interior Finish Company, Inc., Columbia Spinning Company, Columbia Wood Works Inc., Columbian Manufacturing Company, Combined Sound and Color Films, Inc., Comi Incorporated, Commerce Sight Seeing Bus Co., Inc., Commercial Cooperative Company, Commercial Garage Inc., Commonwealth Drug Co., Commonwealth Hotel Company of the county of Suffolk, Commonwealth Plumbing & Engineering Co., Inc., Commonwealth Stevedoring Company, Inc., Commonwealth Upholstering Co., Commonwealth Warehouse Company, Community Fabrics Inc., Community Loan Company, Commuters, Inc., Conant Manufacturing Company (1846), Concord Creamery Company, Concord Manufacturing Company, The, Concord River Company, Concord Steam Power Company, Concrete Oil Tank Company, Cone Iron Works, Congress Finance Corporation, Congress Oil & Supply Co., Inc., Congress Pharmacy, Inc., Congress Securities Corp., Congress Trading Company, Conley Stain and Blacking Co., Inc., Connell and McKone Company, Consolidated Buyers, Incorporated, Consolidated Films Incorporated, Consolidated Insurance Brokers, Inc., Consolidated Sales Corporation, Continental Coal Company, Continental Piano Company, The, Controllit Corporation, Conway Manufacturing Company, Conway Mills, Conway Realty Company, Cooks', Inc., Cooley & Marvin Co., Coolidge Operating Co., Coomes Farms Company, The, Co-op Grocery Company, Cooper & Brush of Memphis, Inc., Copley Tours, Inc., The, Corbitant Manufacturing Company, Cordillo and Donovan Inc., Corey Hill Taxi Service, Inc., Cornell Realty Co., Corporaçao Gonçalves Zarco Inc., Corporation for Inventory Conversion, The, Cosmetics and Drugs Incorporated, Coto-Coil Co., Coulton & Co. Inc., Country Club Motor Sales, Inc., Country Gas Service, Inc., County Mortgage and Loan Company, Coup Oil Company, The, Covel and Osborn Company, The, Covert Gear & Manufacturing Corporation, Craft & MacDonald, Inc., Craftone Mfg. Co., Craig, Reed & Emerson, Inc., Cram-Nute Realty Corporation, Crane Baking Company, Crescent Coal Co., Crescent Drug Co., Inc., Crescent Live Poultry Company, Inc., Cresse Corporation, The, Crimson Pharmacy, Inc., Criterion Theatre, Inc., Crocker Manufacturing Company (1837), Crocker Mills, Crocker Paper Company, Crocker Rubber Company, The, Crockersville Manufacturing Company, Crossland Company,

Certain corporations dissolved.

Incorporated, Crowley Contracting Company Incorporated, The, Crystal Ice Company (1851), Crystal, Inc., Crystal Shade & Screen Company, Cuba Mining Company, Cuetara Hnos, Inc., Cummings Millinery Company, Cummington Cotton Manufacturing Company, The, Cummington Manufacturing Company, Cummington Woollen Manufacturing Company, The, Cunninghams', Inc., Cute-Craft, Incorporated.

D & H Motor Co., D and T Auto Repair Co. Inc., D. N. Raptelis, Inc., D. W. Field Farm Company, Daklor Products Corporation, Damask Cloth Manufacturing Company, Damon Battery & Electric Co., Dana's, Inc., Dane Brothers Company, Danforths Inc., Daniel G. Fox Electric Shop Inc., Danvers and Beverly Iron-Works Company, The, Danvers Cotton Factory Corporation, Dapp's, Inc., Davenport-Evans Co., David E. Adler, Inc., David W. Huntley, Inc., Davis Brothers Company, Davis Chemical Company, Davis Fish Company, Davis Point Factory, Davisville Manufacturing Company (1834), Davisville Manufacturing Company (1844), Day Cordage Company (1853), Day-Craft, Incorporated, Dayton Rubber Co. Inc., DeKalb Brick Company, Dean Cotton and Machine Company, Dean Cotton Manufacturing Company, Deering Corset Company, Deming Corporation, The, Denby Tailoring Co., Inc., Dennis and Yarmouth Improvement Company (1882), Dennis and Yarmouth Improvement Company (1886), Desmarais Bros. Inc., Deuba Corporation of America, Devonshire Manor, Inc., Dexter's, Inc., Dindio Construction Co., Inc., Direct Publicity Service Co. Inc., Dixie Popcorn Company, The, Dobson Construction Company, Inc., Dorazio Construction Company Inc., Dorchester Auto Body and Radiator Company, Inc., Dorchester Cadillac-LaSalle Inc., Dorchester Coal Company, Dorset Iron Company, Douglas Land Company, Douglas Manufacturing Company (1828), Dover Iron Company, Dover Sales Company, Dowae Toys Inc., Downing Lingerie Shoppe, Inc., Dracut Paper Manufacturing Company, Drury-Merchant Company, Dry-Vac Products Company, Dubuque Mining and Water Power Company, Duckworth Chain and Manufacturing Corporation, Dudley Art Shoppe Inc., Duffy-Darling Company, Duke's Motor Livery, Inc., Dunbar Contracting Co., Dunbar-Laporte Motor Company, Duncan Construction Company, Dunnell Manufacturing Company (1852), Dunnell Manufacturing Company (1853), Duplex Gas Heating Corporation, Duxbury Improvement Company, Dwight Company, The, Dyer & Everett, Inc., Dyer Pocket Book Manufacturing Company.

E. Arthur Tutein, Incorporated, E. Bizzozero, Incorporated, E. E. Sullivan Inc., E. E. Taylor Company (1916), E. H. Robbins Land Co., Inc., E. M. Cremen Company, E. Maynard Electrical Co., Inc., E. P. Dorgan, Inc., E. P. Winward and Son Inc., E. S. Grover Company Inc., E. S. McInnerney Company, Inc., E. T. Keefe Company, Eagle Cotton Gin Company (1853), Eagle Cotton Gin Manufac-

Certain corporations dissolved.

turing Company, Eagle India Rubber Company, Eagle Manufacturing Company (1849), Eagle Rubber Cement Co., Eagleville Manufacturing Company, Earnsdale Worsted Company, Inc., East Boston Cotton Mills, East Boston Iron Company, East Boston Manufacturing Company, East Boston Timber Company, East Falmouth Herring River Company, East Florida Serpentine Company, East Harbor Fertilizer Company, East Woburn Manufacturing Company, Eastern Absorbent Products Co., Eastern Avenue Corporation, Eastern Cap Co., Inc., Eastern Coal Company (1849), Eastern Commission Company, Eastern Electric Corporation, The, Eastern Exchange Hotel Company, Eastern Express Company, Eastern Fibre Mills, Inc., Eastern Newspaper Service, Inc., Eastern Products Corporation, Eastern Securities Corporation, Eastern Stage Company, Eastern Upholstering Company, Eastern Wood Products Corp., Eastham Fishing Company, Easton Construction Company, Incorporated, Eaton & Balch, Inc., Eco Company, Economy Construction and Realty Corporation, The, Economy Furniture Co., Economy Hardware Store Inc., Eddy and Joe, Inc., Edinberg & Golden, Inc., Edith Coburn Noyes School, Edlo Laboratories, Inc., Edmunds Inc., Edson and Company, Inc., Edward B. White Lunch, Inc., Edward S. Quirk Company, Incorporated, Edwards Motor Sales Company, Edwin P. Shea, Inc., Edwin V. Mitchell Company, Egan Photo Service, Inc., Einer A. Knudsen, Incorporated, Electric Agencies, Inc., Electric Power Company, Electric Service Company Inc. of Boston, Electric Water Cooler Co., Electrical Contracts Corporation, Electrical Slate Company, Electro Vapo Stove Company Inc., Electron Corporation, The, Elgin Hardware Company Inc., Elite Lamp Shade Shop, Inc., Elk Breeding and Grazing Association, Inc., Elliott's Toggery Stores, Inc., Ellis Financial Reporting System, Inc., The, Ellms Incorporated, Ellsworth Hardwood Corporation, Elm Amusement Company, Elm Amusement Company of North Attleboro, Elm Associates, Inc., Elmore Realty, Inc., Elson Art Publication Company, Emery Furniture Co., Emigrant Express Company, Empire Real Estate Company, Employers and Executives Exchange Inc., Endicott Parlor Furniture Co., Inc., Enfield Manufacturing Company (1826), English Village, Incorporated, Eppy Company, The, Equitable Corporation, The, Erickson Steel Garage Company, Erie Market, Proprietors of the, Ernest F. Carlson Co., Ernest J. Batty, Inc., Essex and Eagle River Copper Company, Essex Hosiery Company (1845), Essex Leasehold Company, Essex Manufacturing Company, Essex Sugar Refinery, Eugene L. Gobeille, Incorporated, Everett H. Barnard Company Inc., Everett Iron Works Inc., Everett Motor Mart Inc., Everett Plumbing and Heating Co., Evers Needham Co., Excel Shoe Form Company, Excellent Tea Room Inc., Exchange Finance Corporation, Exel Shoe Stores Inc., The, Exmoor Trust, Inc., Export Trading Company.

F & A Bakery, Inc., F. C. Magranis Co., F. Construction Co., F. H. Odams Co., Inc., F. L. & H. Hat Company Incorporated, F. L. Jewett Inc., F. M. Clark Manufacturing Company, The, F. M. Harris Company, F. N. Blaser Inc., F. S. Bartlett & Son, Inc., F. S. Belden, Incorporated, Fagan Bros., Inc., Fairbanks Radio Company, Fairhaven Mills, Falkson Clothing Company, Fall River Amusement Company, Fall River Cotton Waste Co., Inc., Fall River Steamboat Company, Falls Cotton Manufacturing Company, Falls Filling Stations, Incorporated, Falmouth Construction Real Estate Exchange, Inc., Falmouth Oyster Company, The, Faneuil Clothing Co., Fanny F. Hickey, Inc., Farmers' Glass Manufacturing Company, Farmers' Hotel, Farmers Manufacturing Company, Farnsworth House, Proprietors of the, Fashion Clothing Stores, Inc., Faulkner Amusement Co., Favour Construction Co., Inc., Favreau Brothers Incorporated, Fay Health Motors Co., Fay W. Williams Company, Federal Aniline & Chemical Co., Federal Discount Coupon Company, Federal Finance Corporation, The, Federal Liquidation Company, Federal Neon Light Corporation, Federal Plumbing and Heating Company, The, Federal Truck Company of Worcester, Federal Trucking Company Inc., Fein Manufacturing Corporation, Feldman's Drug Store, Inc., Fellows Brass & Iron Foundry, Fellsway Realty Trust, Inc., Felton and Lynch, Incorporated, Fenway Loan Company, Ferguson, Loud and Ferguson Incorporated, Ferguson's Market Company, Feruxine Co., Inc., The, Fessenden School, Incorporated, The, Fibre Construction Company, Fidelity Mortgage Corporation, Fidelity Motor Sales Co., Field Brothers Shoe Company, The, Film-Eau Products, Ltd., Finkovitch-Levine Shoe Co., Fire Warn Sales, Inc., First Consumers' Alliance, Inc., First National Stores Limited, Fish Wear Company, Fisher, McCurdy Co., Fisk Rubber Company (1898), Fitchburg Building Company, Inc., The, Fitchburg Cadillac Company, Fitchburg Industrial Development Co., Fitchburg Iron Company, Fitchburg Motor Sales, Inc., Fitchburg Veneer Products Company, Fitchburg Woolen Mill, Fleming & Company, Inc., Fletchall & Hemenway, Inc., Fletchall & Kane Motors, Inc., Fletcher and Scott, Inc., Flex-or-Crete Corporation, Florida Little Farms Corporation, Fook Hong Company, Football Publications, Inc., Foreign Exhibition Association, The, Foresman Electric Company, Inc., The, Fort Hill Corporation, 44 Fairfield Street, Inc., Foster Mills, Foster Oil Burner Company, The, Four Farm Oil Company, Fourdrinier Paper Company, 14 Canal Street, Inc., Fox Furniture Company, Framingham Acceptance Corporation, Framingham India Rubber Company, Framingham Manufacturing Company (1813), Framingham Motor Company Inc., Frank Boylan Contracting Company, Frank D. Stevens, Inc., Frank Realty Company, Frank W. Smith Company, Franklin Bagging Company, Franklin Coal Company, Franklin Commercial Corporation, Franklin Costume Company, Franklin

Certain corporations dissolved.

Certain corporations dissolved.

Field Plumbing Co. Inc., Franklin Glass Factory Company, The, Franklin Investors Corporation, Franklin Manufacturing Company (1813), Franklin Mortgage Corporation, Franklin-Worcester Company, Frank's Radio Shop, Inc., Fraser's Shoe Department Company, Fred Gray's Bostonian Shoe Store, Inc., Fred Holland Chamberlin, Inc., Frederick H. Andres, Incorporated, Fredericks-Murray Corporation, The, Freedman Bros. Co. Inc., Freeland & Warren Incorporated, French & Son, Inc., Front Street Corporation in the Town of Boston, Fuller Manufacturing Company (1907), Fuller's, Inc., Fulton Hardware Manufacturing Company, Fulton Manufacturing Company, Furs, Inc.

G & B Construction Co., Inc., G. & G. Sales Corporation, G & M Construction Company, G. & R. Fruit Co. Inc., G. B. Construction Company, G. H. Polley Co., G. T. M. Co., Gagnon's Auto and Radio Supply, Incorporated, Gannon-McKnight Company, The, Garden Theatre, Inc., Gardenside Homes, Inc., Gardner Fibre Company, Gardner Table Mfg. Company, Gekco Company of Augusta, The, General Advertising Agency, Inc., General Bond & Mortgage Co., General Driving Schools, Inc., General Garment Mfg. Company, General Industries, Inc., General Laboratories, Inc., General X-Ray Company of California, George A. Grounds Co., George A. Stevens Lumber Company, Inc., George H. Brown Company, George J. Khouri and Brothers, Inc., George K. Keller Corporation, George Nelson Jacobs, Incorporated, George's Clothes Shop, Inc., Georgetown Boot & Shoe Co., Georgette and MacDonald Inc., Germain Motor Company, Gerrish Market, Gerry's Inc., Giatas Furniture Co., Inc., Gibson's Nut Shop, Inc., Gieringer Co. Inc., Gifford Toy Co., Inc., Gillette Mfg. Co., Gilman Manufacturing Company, Globe Dress Goods Store, Incorporated, Globe Investment Company, Globe Manufacturing Company, The (1814), Globe Tanning Company, Globe Undergarment Company, The, Gold River Gold Company, Gold Seal Shoe Company, Golden Caterer Company, Inc., The, Golden Rule Bakery Company, Inc., Goldman Dress, Inc., Good Housekeeping Shop, Inc., The, Goodell Manufacturing Company (1822), Gookin-Joyce Furniture Shop, Inc., Gordan Machine Company, Goulding Patent Bale Rope Manufacturing Company, Grace Gown Shoppe, Inc., Gragnano Company Inc., Gramercy Grill, Inc., Grand Street Corporation, The, Graphic Arts Engraving Co., Gray Laboratories, Inc., The, Graydon Tours, Inc., Greany & Sherry, Inc., Great Barrington Iron Company, Great Western Gold Company, Greater Boston Loan Company, Greeley Laboratories, Inc., Green and Green Company, Green Goose, Inc., Green River Manufacturing Company (1825), Greenfield Cadillac Company, Greenfield Manufacturing Company (1829), Greenfield Manufacturing Company (1832), Greenfield Public Market, Inc., Green's Tours Incorporated, Greenwood, Berg and Paignon, Inc., Greenwood Chair Makers, Inc., Grew Golf Course Inc.,

Greylock Iron Works, Grieco-Zeeman Company, Griffith-Stillings Press, Groton Hotel Company, Groton Junction Hotel Company, Grove Hall Electrical Supply Company, Guarantee Roofing and Metal Company, Guardian Newspaper Association, The. Certain corporations dissolved.

H. A. Lowell, Inc., H. A. Poole Realty Company, H. Avadanian, Incorporated, H. B. Hickory Handle Co., Inc., H. Blacklow Inc., H. D. Kittinger Company, Inc., H. E. Watson Co., H. F. Battey Leather Company, H. K. Gardiner Company, H. L. Stearns Desk Company, H. R. Lowd Land Co., Inc., H. S. Lawrence Clothing Co., H. W. Govin Company, Hadley Falls Company (1827), Hale Mining Company, Hale Patent Washer Company, Hallett Brothers Company, Haltex Co., The, Hammertex Corporation, Hampden Cotton Manufacturing Company, The, Hampden Silk Manufacturing Company, Hampshire Consolidated Mining Company, Hampshire Flax and Hemp Company, Hampshire Lead Manufacturing Company, Hampshire Leather Manufactory, The, Hampshire Manufacturing Company (1829), Hampshire Realty Company, Hard Metal Alloys, Inc., Harder Coal Company, The, Hardwick Steam Mill Company, Harney Service Company, Harold J. Power, Inc., Harriman-Anderson Company, Harry T. Wright & Co., Inc., Hart and Green, Incorporated, Hartwell's China and Gift Shop, Inc., Harvard Products Company, Inc., Harvard Skating Rink Company, Haseltine-Freedlender Co., Haverhill Foundry and Machine Shop, Haverhill Steam Mills, Haverhill Strand Theatre, Inc., Hazen Brown Chemical Co., The, Health Food Laboratories Inc., The, Healthway Company, The, Henry & Wright Manufacturing Company, Incorporated, The, Henry Chanin & Co., Inc., Henry F. Miller Stores Company of Detroit, Henry F. Miller Stores Company of Kansas City, Henry-George Realty Company, Henry J. Fitzgerald, Inc., Henry J. Heinlein Company, Henry S. Harris' Sons Co., Henry's Incorporated, Herbert M. Willis, Inc., Herring River Company (1833), Herring River Company (1845), Heywood Rattan Company, Highland Lunch, Inc., Highway Signal Company, Hill-Woodward Construction Co., Hillside Garage, Inc., Hingham Knitting Company, Hinsdale Manufacturing Company (1836), Hobbs, Taft & Co. Inc., Hodgdon, Cashman Company, Hodges Company, Inc., The, Holbrook Center Garage, Inc., Holden Building Company, Holden Cotton and Wool Manufactory, The, Holden Mill Company, Holdings, Ltd., Holland Electric Corporation, The, Holland Manufacturing Company, Holmes Mills, Holyoke Company, Holyoke Mills, Home Beautiful Furniture Inc., Home Club Real Estate Corporation, Home Equipment & Silver Company, Homestead Investment Corporation, Hood Rubber Company, Hood Rubber Products Company, Inc., Hood Tire Company, Inc., Hoosac Rail or McAdamized Road Company, Hoosac River Manufacturing Company, Hoover's Furniture Company, Hopewell Company, Hopkins & Thurston, Inc., Hopkinton Springs Com-

Certain corporations dissolved.

pany, Hosmer Advertising Agency, Inc., Hotel Buckminster Co., Hotel Colonial, Inc., Hotel Liquidation Corporation, Hotel Oxford Company, Housatonuck Manufacturing Company, The, Howe Drug Company, Hub Chair Company, The, Hub Cleansers & Dyers, Inc., Hub Skiving Knife Co. Inc., Hubbardston Chair Co., Hubbardston Steam Power Company, Hubbell Dome Exploration Company, Huckins & Temple Incorporated, Hudson Cider Co. Inc., Hughes & Tansey, Inc., Hulan Holding Corporation, Hunt-Luce Advertising Agency Inc., Hunter & Stratton, Inc., Hunter Paper Company, Huntington House, The Proprietors of the, Hyannis Hotel Company, Hydraulic Machine Company.

I. Brown & Son, Inc., I. N. MacRae Co. Inc., I. Washburn and Moen Wire Works (1867), Iafolla & Shields Construction Co., Ice Utilities, Inc., Ideal Garage, Inc., The, Immuno Products Corporation, Imperial Amusement Company, Incorporated Equities, Independent Finance Corporation, Index Stamp Manufacturing Company, India Oil Company, Industrial Relations Service, Incorporated, Ingall's Pharmacy Inc., Iniskin Bay Exploration Company, Insurance Finance Corporation of Lawrence, Inter Colonial Gold Mining Corporation, Inter-Continental Corporation, International Medical Aid Association, Inc., International Supply Corporation, Interstate Publishing Company, The, Inverness Copper Company, Iona Shoe Company, Ipswich Amusement Co. Inc., Ipswich Manufacturing Company, Iris Lobster Shoppe, Inc., Isaac Kushner Company, Isle Royal Copper Company, Isobel M. Moore, Inc., Ixion Black Lead Factory.

J. A. Karnheim, Inc., J. A. MacDonald Inc., J & B Grill Inc., J. & W. Coal Company, J. D. Miller Company, Inc., J. E. French Company, J. E. Kohn Company, Inc., J. G. Johnston Company, J. G. Riga & Sons Company, J. Goldstein, Inc., J. H. Mitchell Insurance Agency, Inc., J. J. Grover's Sons Company, J. J. Williams Co., The, J. M. Hager & Son, Inc., J. O. Wetherbee Company, J. P. Foley & Sons, Inc., J. R. Ellis & Sons, Inc., J. R. Whipple Company, J. S. Meacom Company, J. Scudney Publishing Co., J. T. Kershaw Wood Heel Co., J. W. Sullivan Company, J. Wilson Co. Inc., Jackson's Incorporated, Jamaica Plain Land Improvement Company, James A. Marr Company, James Anderson Company, James C. Williams Manufacturing Company, Jas. Frank Williams, Inc., James Grinding Process Company, James H. Cotter Shoe Company, James J. H. Gregory & Son, Inc., James J. Mellen, Incorporated, James Kent Eaton, Inc., James Realty Corporation, Jane Eaton Candies, Inc., Jardines', Inc., Jason Incorporated, Jasper Sugar Refinery (1870), Jefferson Kier Incorporated, Jefts Furniture Company, Jenness Brothers and Company, Incorporated, Jersey Radio and Battery Co., Inc., John A. Dunn Company, John A. Webster & Sons, Incorporated, John & Arthur-Motor Accessories, Inc., John Buckley Shoe Corporation, John Crowe Company (Incorporated), John E. Palmer Co., Inc., John Evans & Co., Inc., John Groves

Company, Inc., John T. Connor Company, John T. McTarnahan, Inc., John Tredennick, Inc., Johns-Manville Incorporated of Massachusetts, Johnson Felting Mills, Jones & Brown Company, Jones and Woods Manufacturing Company, Jones' River Manufacturing Company, Jordan Company, (Inc.), The, Jordan Shoe Manufacturing Company, Joseph E. Kimball Company, Joseph M. Shea Tourist Co., Inc., Junction Hotel Company. Certain corporations dissolved.

K & K Garage Company, K. P. Realty Associates, Inc., Kamishak Field Exploration Company, Kane Realty Company, Kantskid Chain Company, Kaplan the Stylist Inc., Kaplan's Inc., Karded Products Company, Karlin & Schlosberg, Inc., Karnak Company, Kassell Miller Hotel Co., Keefe Bros. Company, Keith Car Manufacturing Company, Kelleher Consolidated Shoe Co., Kendall's Express, Inc., Kenmore Shoe Co., Kenoza Riding Park Association, Kent Brothers Corporation, Kent Motor Sales Co., Kent Shoe Co., Kent Sugar Products, Inc., Keswick Candy Company, The, Kilzo Chemical, Inc., Kimball Poultry Company, Inc., King & Glass, Inc., King Safety Razor Company, The, Kingsol Shoe Company, Inc., Kingston Cotton and Woollen Manufactory, Kingston Manufacturing Company (1828), Klein's Drug Store, Inc., Knife and Fork Company, The, Knowlton Arms, Inc., Kompact Vending Machine Company, Inc., Kravitz Beef Co., Kulehed, Incorporated.

L. A. White Inc., L. and S. Theatre Co., L. E. Fosgate Company, L. E. Freeman Co., L. F. Woodberry Co., Inc. of Medford, L., H. & D. Realty & Construction Co., Inc., L. Kantor, Inc., LaForme Co., Inc., LaGrange Street Market Company, LaGrange St. Market, Inc., La Mode, Inc., Ladd & Churchill, Inc., Lafayette Associates of Boston, Inc., Lafayette Manor, Inc., Lafayette Theatres Inc., Lajoie's Son & Perreault Co., Inc., Lakeview Realty Company, Lancaster Cotton Manufacturing Company, The, Landfield's Inc., Landry Loom Company, Landscape Engineers, Inc., Lane & Fuller Silver Mining Company, Lang & Jacobs Company, Langewald Company, The, Lantz Paint Company, Inc., The, Larrabee Green Company, Larry Dress Co., Inc., Lawrence & Craft, Inc., Lawrence Carpet Company, Lawrence Hebrew Co-operative Bakery, Lawrence House, Lawrence Investment Company, Lawrence Machine Shop, Lawson-Whitehead Company, Le Chateau, Inc., LeDrew, Inc., Leader Manufacturing Company, Leathersteel Products Corporation, Lechmere Glass Company, Lechmere Point Corporation, The, Lee Hotel Company (1867), Lee Manufacturing Company, Lee Woollen and Cotton Factory, The, Legion Filling Stations, Inc., Lehigh and Wilkes-Barre Coal Company (Massachusetts), Leicester Company, Lenhart-Allen Co. Inc., Lenox, Cotton, Woollen and Linen Manufactory, Lenox Crystal Glass Company, Lenox Hotel Company (1869), Lenox Investment Company, Lenox Manufacturing Company (1839), Leominster Music Store Inc., Lester V. Bailey, Inc., Leverett Place Brewing Com-

Certain corporations dissolved.

pany, Lewis & Jordan Inc., Lewis Phillips Company, The, Lexington Hotel Company, Liberal Loan Corporation, Liberty Commercial Co., Liberty Construction Co., Inc., Liberty Theatre Company, Liberty Theatre Operating Company, The, Lincoln Creameries Co., Lincoln Farms, Inc., Lincoln Lumber Company, Linden House Company, Linden Real Estate Co., Lindstrom Heating Company, Inc., Linnell Cranberry Co., Linseed Oil Company, Linum and Duck Manufacturing Company, The, Linum Spinner Company, Lion Realty Company, Lipson Seam Cementing Machine Company, Lister Building Incorporated, Litant Furriers, Inc., Lithuanian New Lincoln Corporation, Littlefield's of Newburyport, Inc., Livingston Company, Lockwood, Greene & Co. Inc., Logan Johnson Company, Lombard Carburetor Company, London Cleansing & Dyeing Co. Inc., Long Island Company, Long Island Steamboat Company, Longfellow Realty Corporation, Lord Electric Company (1895), Lorraine Fashion Shoppe, Inc., Lotta Producing Co., Lotus Restaurant Company, Louis Halpern Shoe Co., Inc., Louis Harlow & Co., Incorporated, Louis I. Yessin Co., Inc., Louis Poultry Company, Lovis' Cove Gift Shop Inc., Lowell Base Ball Association (1877), Lowell Chemical Company, Lowell Felting Mills, Lowell Flower Shoppe, Inc., Lowell Hosiery Company, Lowell Paper Mills, Lowe's Renting Service, Inc., Lucian & Thomas Co. Inc., Lujenite Corporation, The, Lumber Manufacturers Graded Cost System, Inc., Lustron Company, Inc., Lycoming Coal Company, Lydgate Realty Company, Lynch Motors Inc., Lyndeboro Glass Company, Lynn Central Realty Co., Lynn Furniture Warehouse Company, Lynn M. Ranger, Inc., Lynn Novelty Shoe Co. Inc., Lynn Woods Garage Co., Lyons Garage Inc.

M & D Construction Company Inc., The, M. & R. Sales Company, Inc., M. & S. Motor Transportation Co. Inc., M B Ice, Coal & Wood Co. Inc., M. Brams Shoe Stores, Inc., M. Gross and Sons Company, M. J. Finnigan Company, M. O'Keeffe, Incorporated, M. Poloian Co. Inc., M. R. McCandless Co., M. S. Wright Company, Macaluso Pharmacy, Inc., MacArthur's Inc., MacDonald-Bergeron Co., Inc., Mace Moulton, Jr. Inc., MacGown Gown Shop, Inc., MacGregor Garage, Incorporated, The, Madame Colin Restaurant Inc., Made in New England Magazine Inc., Magnesia Company, The, Magonsett Fishing Company, Majestic Motor Sales Company, Makado Manufacturing Corporation, Malden Dye House, Inc., Manganese Mining Company, Manhattan Electrical Supply Company, Inc., Manhattan 5 and 10¢ Food Stores, Inc., Manomet Hotel Company, Manomet Mills, Man's Shop, Inc., The, Mansfield Coal Company, Mansfield Laboratories, Incorporated, Mansfield Mining Company, Manufacturers' Outlet Stores, Inc., Maple Ridge Farm, Inc., Maplehurst Fruit Farm, Inc., Marblehead Manufacturing Company, Marblehead Shoes Incorporated, Marconi Sea Grill and Restaurant, Inc., Marcy Coal Company, Marietta Oil Company of Boston, Maritime Airways, Inc.,

Certain corporations dissolved.

Mark-Rite Marker Company, Markrow Ribbon and Carbon Company, Marlborough Steam Mill Company, Marshal Manufacturing Company, Marshall and Moulton--Smith's Express Company, Marshfield Cotton and Wool Manufactory, The, Marthas Vineyard Manufacturing Company, Martindale Farm, Inc., The, Mary J. Bakery, Incorporated, The, Mary L. McLaughlin Co. Inc., The, Mary Lee Candy Shops, Inc., Mason Curtain Co., Mason Lumber Co., Mason's Grill, Inc., Massachusetts Acceptance Corporation, Massachusetts and Maine Brick Company, Massachusetts Coach Company, Massachusetts Dairy Company, The, Massachusetts Glass Company (1849), Massachusetts Insurance Agency Corporation, Massachusetts Iron Company, Massachusetts Linen Company, Massachusetts Mining Company (1836), Massachusetts Peat Coal Company, Massachusetts Provision Company, Inc., Massachusetts Salt Work Company, The, Massachusetts Silk Company, Massachusetts Steam Engine Company, Massachusetts Steam Navigation Company, Massachusetts Thread Mills, Inc., Massachusetts Woolen Manufacturing Company, Massapoag Spring Hotel Company, Massasoit Smelting Company, Massic Falls Manufacturing Company, Matfield Manufacturing Company (1814), Mathey Tire Service, Inc., Mattakeesett Company, Mattapoisett Oyster Company, Maugus Block Sand and Gravel Co. Inc., Maverick House Realty Company, Inc., Maverick Oil Company, Mayflower Ice Cream Company, Maykel Automobile Company, The, McAuslan & Wakelin Furniture Co. Inc., The, McCurn Yarn Company, McLaren Stevedoring Co. Inc., McLaughlin & French Company, Meadows New England Company, Inc., Means & Thacher, Incorporated, Mechanical Devices, Incorporated, Mechanics Brick Manufacturing Company, Mechanics Temple Hall Association, Medford Air Service, Incorporated, Medford Real Estate Company, Medford Square Market, Inc., Melanson Shoe Company, Melrose Operating Co., Memorial Bridge Amusement Company, Memphis Corporation, Men's Wear Shops, Inc., Merchants Cloak and Clothing Company, Merchants Corporation, Merchants Hall, Proprietors of, Merchants' Manufacturing Company (1854), Merchants Marine Co., Merchants Steam Tow Boat Company, Merkins Fur Shop, Inc., Merrill Company, The, Merrimac Boating Company, Merrimack Coal Mining Company, Merrimac Machine Company (1848), Merrimack River Association, The, Merrimack Steam Mills, Merrimack Utilization Company, Merrimack Valley Lumber Co., Inc., Mersky Brothers Shoe Company, Mertin System Inc., Merymaid Candy Co., Metal Bobbin & Shuttle Eye Co. Inc., Methuen Bleaching and Dyeing Company, Metropolitan Hotel Company, Proprietors of the, Metropolitan Oliver Oil Burner Company, Inc., Metropolitan Tire and Accessory Co., Inc., Meyer's, Inc., Miami Zinc Mines Company, Mid-Penn Oil and Equipment Co., Inc., Mid-West General X-Ray Company, Middleborough House, Middlefield Free Stone Company, The,

Certain corporations dissolved.

Middlesex and Kentucky Oil Company, Middlesex Braided Thread Company, Middlesex Cordage Company, Middlesex Development Company, Middlesex Factory Company, Middlesex Iron Founding Company (1823), Middlesex Iron Founding Company (1829), Middlesex Lumber Company, Middlesex Manufacturing Company (1822), Middlesex Paper Manufacturing Company, Middlesex Publishing Company, Middlesex Union Factory Company, Milford Creamery Company, Milford Express Corporation, Millbury Building Company, Millbury Locomotive Engine Company, Millbury Paper Mills, Miller & Katz, Incorporated, Miller Tire Service, Inc., Miller's Apparel, Inc., Millet-Staples, Inc., Millis Building Association, Incorporated, Mills Belt Company, Mills on Charles River, The Proprietors of, Mills on Manattiquot River, Proprietors of, Mills on Mill-Creek and Neponset River, The Proprietors of, Mills on Queset and Town Rivers, Proprietors of, Millville Manufacturing Company, Milo H. Briggs, Inc., Milvier Company, Minute Man Garage Company, Mitchell, Printer, Inc., Mitchell-Vance, Inc. of New England, Mode Shoe Co., Model Airplane Mfg. Co., Model Delicatessen and Bakery of Salem, Inc., Modern Bronze Incorporated, Modernizers, Inc., Mohawk Auto Parts Company, Inc., The, Monarch Fuel & Service Co., Monarch Soot Remover Company, Inc., Monson Branch Company, Montampet Company, Monterey Iron Company, Monument Hotel Company, Moody House Hotel, Proprietors of the, Moore-Smith Company, Morgan Radio Manufacturing Corporation, Morin-Savage Inc., Morris B. Brewster, Inc., Morris Rubin Co., Inc., Morris Wool Co., The, Morse Upholstering Co., Morton-Clough Engineering Company, Morton H. Morganstern Co., Morton Novelty Co., The, Mosaic Tile and Marble Works Inc., Moseley & Co., Inc., Motor Accessory and Service Company, Motormart of Gardner, Inc., The, Mount Hope Canal and Wharf Company, Proprietors of the, Mount Hope Manufacturing Company (1822), Mount Mineral Springs Company, Mount Pleasant Manufacturing Company, Mount Washington Association, Mount Washington Iron Company, Mountain Home Corporation, Mumford River Association, Murdock Food Company, Murry's Men's Shop Inc., Mutual Building Corporation, Mutual Markets, Inc., Mutual Radio Company, Myles Manor, Inc., Myron M. Navison Shoe Co., Inc., Mystic Knight Corporation, Mystic Manufacturing Company, Mystic Realty Development Co., Inc., Mystic River Corporation, Mystic River Works.

Nahant House Company, Nantucket Aero Company, The, Nantucket Cordage Company, Nantucket Fisheries Incorporated, Nantucket Fishing Company, Nantucket Marine Camel Company, Nantucket Oyster Company, Nantucket Propeller Company, Nason, Inc., Natica, Ltd., Nation Publishing House, National Automobile Association, National Broom Manufacturing and Supply Company, National Builders Supply Corp., National Building Materials and

Equipment Exhibitors Co., National Calfskin Company, National Car Company, National Fuel Corporation (1929), National Illuminating Company, Inc., National Lunch, Inc., National Optical Company, National Press Company, National Product Sales Corporation, National Service Association Inc., National Supply Company (1899), Nautilus Life Preserving Company, Needham Hat Factory, Nelson's, Inc., Nepa Investment Company, Inc., Neponset Meadow Company, The, Neptune Steam Mills, Neptune Submarine Company, Neptune Woolen Manufacturing Company, Netoco Colonial Theatre, Inc., Netoco Egyptian Theatre, Inc., Netoco Globe Theatre, Inc., Netoco Oriental Theatre, Inc., Netoco Warren Theatre, Inc., Nevada Holding Corporation, New Bedford Auto Sales Co., New Bedford Brass and Iron Foundry, New Bedford Cordage Company (1839), New Bedford Dairy, Incorporated, New Bedford Grocers' Baking Company, The, New Bedford Linseed Oil Company, New Bedford Steam Mill Company, New Bedford Valve Manufacturing Company, New Cornhill Corporation, in the town of Boston, New England Allite Corporation, New England Burnettizing Company, New England Caloric Water Elevator Company, New England Car Company, New England Carpet Buffer Company, Inc., New England Contracting Company, New England Department Store, Inc., The, New England Despatch Company, New England Dog Baths, Inc., New England Drug Stores, Inc., New England Electrical Fixture Company, Incorporated, New England Electrical Utilities, Inc., New England Fire Safety Company, New England Gas Regulator Manufacturing Company, New England Glass Bottle Company, New England Homestead Company, New England Hosiery Company, New England India Rubber Company, New England Iron Works (1831), New England Knitting Machine Company, The, New England Lace Company, New England Liquid Fuel Company, New England Manufacturing Company (1825), New England Paper Company (1854), New England Parlor Frame Company, New England Quick Transit Steamship Company, New England Radio Dealers Association Inc., New England Sales Company, New England Soap Stone Company (1828), New England Southern Mills, New England Steam Packet Company, New England Textile Soap Corporation, New England Verd Antique Marble Company, New England Wax Thread Sewing Machine Company, New England Worsted Company, New England Yarn Singeing Company, Inc., The, New Englander, Inc., The, New Gregory Gold Mining Company, New Home Sewing Machine Company, The, New Posillipo Restaurant Inc., New Riviera, Inc., The, New Wilbur Hotel Inc., New York and Boston Atmospheric Despatch Company, New York Cafeteria, Inc., New York Cloak & Dress Mfg. Co., Newbury Spring Bleaching Company, Newburyport Printing Company, Newburyport Screw Manufacturing Company, Newburyport Silk Company, Newman Neckwear M'f'g Co., Certain corporations dissolved.

Certain corporations dissolved.

Newton Bowling Alleys Co., Newton House Company, Newton Lunch, Inc., Niagara Theatre, Inc., Nichawagg Manufacturing Company, Nichols-Egan Company, Nielsen Market Co., Inc., Nightstyle Manufacturing Company, Nissetisset Manufacturing Company, Nobby Clothes Shop Inc., The, Nobility Chocolates Company, Noble Cigar Company, Noble Jackson Company, Nobrak Fibre Products Corporation, Norfolk County Motors, Corp., Norfolk Granite Company (1836), Norfolk Hosiery Company, Norfolk Manufacturing Company (1824), Norfolk Mills, Norfolk Title Company, Norfolk Trading Corporation, North Adams Cotton and Machine Manufacturing Company, North Adams Marble and Lime Company, North American Steam Coach Company, North Andover Mills (1837), North Atlantic Investment and Mortgage Company, North Brookfield Cooperative Association, North Brookfield Woollen Manufacturing Company, North Chelmsford Machine Shop, North Falmouth Fishing Company, North Market Street Warehouse Company, North Shore Express Company, Northampton Airport Company, Northampton Collateral Loan Company, Northampton Cotton and Woollen Manufacturing Company, Northampton Garage Company, Northampton Hotel Company (1856), Northampton Manufacturing Company (1823), Northampton Manufacturing Company (1835), Northampton Paper Mills, Northampton Silk Company (1836), Northampton Sugar Beet Company, Northampton Woollen Manufacturing Company, Northboro Carding & Garnetting Co., Northborough Cotton Manufacturing Company, Northbridge Provision Corp., Northeastern Aircraft Corporation, Northeastern Oil Company, Northern Engine Lubricator Corporation, Northern Investment Company, Northern Mica Mining and Manufacturing Company, Northern Stage Company, Norton Tallow Company, Nu-Idea Company, Inc., The.

Oakdale Community Garage and Bus Line, Incorporated, Oakham Village Cotton and Woollen Factory Company, The, Ocean Steam Packet Company, Ocean Steamship Company of New England, Odiorne Manufacturing Company, Ohio Automatic Merchandizer Inc., The, O'Keeffe's Inc., Old Colony Manufacturing Company (1822), Old Colony Shipping Corporation, Old Kent Inc., Old Town Manufacturing Company, Olendrowicz, Rzonca and Co., Inc., Olic, Inc., O'Malley Advertising & Selling Company Incorporated, One and Two Dollar Shirt Shops of Fitchburg, Inc., The, O'Neil Mining and Smelting Company, Ontonagon Copper Company, Ordway & Clark, Inc., Original Sam, Inc., Orleans Fishing Company in Orleans, Oscar Shapar, Inc., Osgood Bradley Car Company, Ossapee Mining Company, The, Outdoor Developments, Inc., Owl Cab Company, Oxford Cotton Manufacturing Company, The, Oxford Hotel Company.

P. A. Murray Motors, Inc., P. & G. Rubber Company, P. & K. Co., Inc., P & Q Shop of Haverhill, Mass., Inc.,

P & Q Shop of Lawrence, Mass. Inc., The, P & R Amusement Corporation, P. Cartoni Company, P. Creedon Company (1904), P. F. Russo Co. Inc., P. T. Jackson Company, Pacific Importing Co., Pacific Print Works, Paige Mills, Palmer Construction Co., Inc., The, Palmer Specialty Shop, Inc., The, Paper Trucking Company, Par-Lock Appliers of Boston, Inc., Paragon Palm Garden, Inc., Paramount Collection Service, Incorporated, Park Furniture Corporation, Park Theatre Company of Waterbury, Parker & Gaddy, Incorporated, Parker-King Company, Inc., Parkman Piano Co., Parkway Motor Transportation Co., Pasteurine Chemical Co., Patent Cork Manufactory, Patent Pin Manufactory, The, Patent Pump Company, The, Patucket Manufacturing Company, Paul O'Sullivan, Inc., Pawcatuck Paper Manufacturing Company, Pawtucket Calico Manufacturing Company, Pawtucket Manufacturing Company, The, Peabody Manufacturing Company (1861), Peabody Tire & Rubber Co. Inc., Peace River Farmsteads, Inc., Pearce-Springfield Company, The, Peerless Amusement Theatrical Co., Pelletier Packing Corporation, The, Pelton Knitting Mills, Inc., Penobscot Steamship Company (1868), Pentucket Navigation Company (1848), Pentucket Navigation Company (1867), Peoples Coal, Wood & Ice Company, Inc., People's Tire Co. Inc., The, Pepperell Manufacturing Company (1840), Perfection Sales Inc., Perkins and Willmott, Inc., Pero Foundry Company, Perry Co., The, Personal Service, Incorporated, Pestell Electrical Company, Pfister & Vogel Company, Phandor Company, Phenix File Company, Philip Giard Shoe Company, Inc., of Brockton, Massachusetts, Philip Rosenthal, Inc., Phil's Lunch Inc., Phoenix Truck Company, Photomovette of N. E. Inc., Pickman Manufacturing Company, Picture Shop Inc., The, Piedmont Furniture Company, Inc., Pierce & Chesworth, Inc., Pierce Brothers Lumber Company, Pilgrim Label Company, Inc., Pilgrim Land Trust, Inc., Pioneer Associates of Massachusetts, Inc., Pioneer Dress Mfg. Co., Inc., Pittsfield Cotton Mills, Pittsfield Hotel Company, Pittsfield Woollen and Cotton Factory, The (1809), Pittsfield Woolen and Cotton Factory, The (1813), Plummer & Co. Inc., Plymouth Motor Service Company, Plymouth Yarn Company, Polish Falcons of Holyoke, Inc., Polish National Home of Haverhill, Inc., Pollard Furniture Co., Inc., Pontioak Motors Inc., Pontoosuc Mills, Inc., Porter Sq. Electric Supply Co. Inc., Portland Realty Corporation, Potter Fuel & Oil Company, Inc., Potter Products, Inc., Premier Bedding Company, PresPak Corporation, Presto Manufacturing Company, Prime Construction Company, Prime Shoe Company, Princess Shoe Company, Princeton Hotel Company, Prior Haulage Company, Prior Transportation Company, Inc., Proctor-Hughes Company, Progressive Finance Corporation, The, Province Realty & Investment Co., Prudential Bond & Mortgage Company, Prudential Building Service Corporation, Public Realty Co., Pure Food Delicatessen and Buffet

Certain corporations dissolved.

Certain corporations dissolved.

Lunch Company (1917), Puritan Food Stores, Inc., Puritan Paint Company, Puritan Stores Company Inc., Puritan Stores Holding Corporation, Purity Bakeries, Inc., The, Putnam Shoe Company, Inc., Pynchon Corporation.

Quaker City Morocco Company of Massachusetts, Quaker Manufacturing Company of New England, Queen Confectionery Co., Queens Run Refractories Company, Incorporated, Quequechan Corporation, Quincy Market Food Shop, Incorporated, Quincy Sunnylea Apartments, Inc.

R. & B. Company, R. & W. Realty Co., R. D. Gordon Company, R. F. Norwood, Inc., R. H. Ducey Co. (1926), R-N Manufacturing Corporation, R. T. M. Inc., The, R. W. Morey & Co., Inc., Radio Center, Inc., Radlo-Hermon Co. Inc., Rainbow Gardens Company, Ramin-New England Display Service, Inc., Ramshorn Mills Inc., Rantoul Garage Company, Rawcliffe Mfg. Co., The, Rawson Company, Incorporated, Ray D. Crooker Company, Raymond R. Bill & Co. Inc., Rayne System of Physical Culture, Inc., The, Rayner Company, Re-Filit Broom Company, Reading Barlow Smith Co., Reconstruction Clinic, Inc., Recreator Foreign Patents, Inc., Recreator Phonograph Corporation, Red Robin Inn, Inc., Red Sea Balsam Co., Red Seal Film Exchanges, Inc., Red Star Mfg. Co., Reece Coal Co. Inc., Reed Security Company, Regent, Inc., The, Reliable Realty, Inc., Reliance Finance Corporation, Reliance Real Estate Company, Reo Malden Inc., Revere Beach Company, Revere Motor Mart Inc., Revere Sanitary Laundry, Inc., Revil Laboratories, Inc., Rheabat Corporation, Rhodes & Ripley Clothing Company, Richdale Oil Corporation, Richmond Fruit Co., Richmond Manufacturing Company (1929), Ridgely Protective Association, The, Riley-Fitzgerald, Inc., Rines Bros. Inc., Rishell-Hegarty Coal Company, Riverdale Nurseries and Gardens, Inc., Riverside Mills, Riverside Service Inc., Robbins-Buck & Co., Inc., Robbins' Diamond Shop, Inc., Roberts Construction Co., Inc., Roberts Construction Company, Inc., Roberts Realty Co. of Springfield, Inc. (1929), Robinson and Robinson, Inc., Roche and Daly Company, Rockford Furniture Company, Roma Drug Company, Rosebud Dress Co., Ross & Son, Inc., Ross Heel Company, Ross-Lyn's, Inc., Ross Manufacturing Company, Ross Stevens Van Buren Corporation, Rouleau's Trucking Company, Roxbury Motors, Inc., The, Roxbury Securities Corporation, Roy J. Foster & Company, Inc., Royal Bedding Co., Inc., Royal Securities Corporation of America, Royal Smoking Stand Corporation, Rub-Er-Jel Products Incorporated, Ruggles Co., Inc., Rumney & Downs, Inc., Russell & Titus, Inc., Russian Moscow Co-operative Association, Inc.

S. & N. Paint & Wall Paper Co., S. Barrile Company, Inc., S. E. R. Stores Inc., S. Edson Morse Inc., S. H. Ware Company, S. L. Kinnear Lumber Company, S. O. S. Filling Stations, Inc., S. O. S. Sandwich Shop, Inc., S. Porter and Company, Incorporated, S. R. David & Co., Inc., S. Seele & Co. Inc., Sabbagh Brothers, Inc., Sahag M. Shahbazian,

Certain corporations dissolved.

Inc., Sahara, Inc., St. James Building Corporation, Salem Auto Supply Company, Salem Taxi Service, Inc., Sales Engineers Inc., Sammol Shoe Co., Samour Manufacturing Company, Inc., Sampo Granite Company, Sampson Trucking Company, Inc., Samuel J. Beckwith & Co. Inc., Samuel J. Katz Company, Sandler and Seidler Inc., Sandwich Shoppe, Incorporated, The, Sanford Pharmacy, Inc., Sanitary Plumbing Co., Sarasin Six Wheel Truck Co., Saratoga Construction Company, Saugus Plumbing & Heating Co., Saunders Public Market, Inc., Sayward Hardware Co., Schmidt & Son Inc., Schmidt Bros., Inc., Schooner Harold G. Foss, Inc., Schooner Mayflower Association, Inc., Schuckert & McCarty, Incorporated, Scott Motors Company, Sea Gull, Inc., The, Sea Shell Corporation, Seaboard Sales Corporation, Sealy Mattress Co. of New England, Seashore Land Company, Second Incorporated Equities, Security Sales Company, Seldon Realty Co., Shakour Company, The, Sharon Water Company, Shattuck Motor Company, Shaw Manufacturing Company (1848), Shawcross Corporation, Shawmut Baking Co. Inc., Shawmut Bottle Company, Shelleys Incorporated, Sheppard Toy Corporation, Sherman Clothes Shop, Incorporated, Sherrard, Incorporated, Shingle Corporation, The, Sho-Lite, Inc., Shoe Mart Inc., The, Shotwell Equipment Company, Shur-Lift Auto Jack Company Inc., The, Siasconset Golf Association Inc., Sidney-Hill Health Studio, Inc., Siko-Lite Sales Corporation, Silbert's Radio Market, Inc., Silsby-Morris Shoe Company Incorporated, Silva Clothing Co., Inc., 1694 Main Street Corporation, Smith-Day Company, Smith Process, Inc., Snap-Hook Company, The, Snax Stores of New England Inc., Snell & Atherton, Incorporated, Snyder Japanning Company, Snyder Tanneries Incorporated, Snyder-Welch-Process Corporation, Sobil's Dry Goods Store, Inc., Solitaire and Furmoto Company, Somerset Oil Company, Sootless Spark Plug Company, South Station Drug Store, Inc., South Watuppa Corporation, Souvenir Advertising Company, Speak-O-Lamp, Inc., Specialty Distributing Co., Inc., Spencer Realty Company, Spencer Woolen Company, Inc., Spinning Wheel Inc., The, Spring Hill Silver Fox Ranches, Inc., Springall and Company Inc., Springfield Acceptance Corporation, Springfield Aqueduct Company (1848), Springfield Aqueduct, The Proprietors of the (1798), Springfield Distributing Company Inc., Squires, Sprague, Incorporated, Stageland Photographs Inc., Stainoff Products Co., Standard Building Corporation, Standard Horse Shoe Company, Standard Illuminated Products Company, Standard Manufacturing Company of Malden, Standard Nut Co., Inc., Standard Oilshares, Inc., Standard Trucking Company, Inc., Standard Wadding Company, Inc., Stanley's Inc., Star Bottling Works, Inc., Star Jobbing Co. Inc., Star Upholstering Company, Stark Mills, State Building Corporation, The, State Hotel Co., Inc., State Real Estate Mortgage Corporation, State Rubber Co., Inc., State Trucking Co., Inc., State

Certain corporations dissolved.

Trust, Inc., Statler Hardware Company, Inc., Statler Shoe Co. Inc., Steel Products Manufacturing Company, Steinbarr Electrical Company, Inc., Sterling Investment Corporation, Sterling Oil and Distributing Company, Stetson Company, Inc., Stevens Lunch Inc., Stimpert Fuel Company Incorporated, Stockade Corporation of New England, Stoughton Rubber Company, Strand Restaurant, Inc., Strand Theatre Co. of Medford, Strap-Pack Corporation, Strathmore Drug Company, Stuart Men's Shop, Inc., Sturtevant and Hook Corporation, The, Stylecraft Clothes Shop, Inc., Suburban Furniture Stores, Inc., Suburban Plumbing and Heating Company, The, Suffolk Manufacturing Company (1819), Suffolk Manufacturing Company (1831), Suffolk Meat Supply, Inc., Sugarman & Kaplan, Inc., Sullivan Brothers, Inc. of Boston, Sullivan-Dolan Company, Inc., Sulphur-Vapor Baths, Inc., Summer Street Garage, Inc., Summit Construction Corporation, Summit Shoe Company Inc., Sumray Dress Co. Inc., Suntaug Inn Company, Superior Bakery, Inc., Superior Counter Company, Supreme Baking Company, Supreme Cake Specialties Co. Inc., Supreme Theatre Inc., Supro, Incorporated, Swan Shoe Inc., Swedish Societies Building Association of Cambridge, Inc., Swett & Sibley Company, The, Syracuse System Company, Inc.

T. A. Kennedy & Co. Inc., T. E. Hatch Company, T. H. & B. Chemical Company, T. H. Whittemore Co., Tank Installation Corporation, The, "Taste-T" Foods Inc., Taunton Car Company, Taunton Carpet Company, Taunton Homestead Realty Company, Inc., Taunton Motors, Inc., Taunton Woman's Quality Shop, Inc., The, Taylor & Gittes, Inc., Taylor Candy Shops Inc., Tekley's Men's Shop, Inc., Terminal Freight Handling Company, Terminal Supply Company, Textile Fibre Corporation, Textile Rubber Co., Theatre Realty Company of New England, Therrien Manufacturing Company, Thibodeau Bros., Inc., Third Oakland Syndicate, Incorporated, Thomann Bronze & Brass Foundry Inc., Thomas G. Barlous Company, Thomas McDowell Inc., Thomas Motor Sales Co., Thompson's Holyoke Business School, Inc., Three Fields Garage, Inc., Tiletex Company, Toledo Tire Company, The, Torque Adaptor and Specialty Tool Company, Inc., Towslee & Son, Inc., Trade Finance Corporation, Traders, Inc., Triangle Bus Service, Inc., Trimont Laundry, Inc. (1929), Tunnel Cafeteria, Inc., Turgeon Building Moving Company, Turgeon Company, Inc., The, Ty-O-La Products Co.

U-Magnet Safety Razor Co., Ugashik Lakes Exploration Company, Ulett Manufacturing Company Incorporated, Ungar Company, The, Union Glass Company (1854), Union Overall Company, Inc., Union Parlor Furniture Co., Unique Furniture Company, Unique Housecleaning Co., Unit Steel Corporation of New England, United Appliance Corporation, United Cloak & Dress Co., Inc., United Equities Inc., United Forced Draught Heating Company,

Inc., United Inns Corporation, United Manufacturing Company (1881), United Paint and Varnish Company, United Radio Departments, Inc., United Refrigeration Service Inc., United Sausage Company, United States Cloak & Dress Company, United States Founding Corporation, United States Importing & Exporting Corp., United States Sandwich Shops, Inc., United States Stationery Company, United Tire & Radio Stores, Inc., United Tire & Radio Stores Realty Co., Inc., Unity Builders, Incorporated, Universal Engineers, Inc., Universal Kid Corporation, Universal Manufacturing Company, Universal Products Co. Inc., University Cafeteria, Inc., University Motor Exchange, Inc., Upham Bros. Shoe Company, Urquhart Bakery, Inc. Certain corporations dissolved.

V. A. Nielsen Company, The, Vacuum Cap Valve Co., Inc., Vacuum Refrigerating Company, Vaff's Cafeteria Inc., Van Holtite Automobile Appliances, Inc., Varsity Dress and Hat Shoppes, Inc., Vaughan, Kopelman and Read Company, Vernon Leather Co., Inc., Victor Trucking Co., Inc., Victory Plan, Inc., The, Victory Terminal Corporation, Vig Chemical Company, Incorporated, Village Spa, Inc.

W. A. Moffitt Shoe Company, W. & W. Garage Co. Inc., W. B. Manufacturing Company, The, W. C. Welch Co., W. F. & J. S. Kingsbery Co., W. H. Furber Company, W. H. Goodell, Inc., W. J. Frey, Incorporated, W. J. Ham Co., W. J. Lally & Co. Incorporated, W. P. Cook Company, Inc., W. T. Marsh, Inc., Wachusett Motors, Inc., Wadleigh-Morrill, Inc., Wakefield Times Company, The, Walden Lunch, Inc., The, Walden-Worcester Incorporated, Walnut Leather Co., Walpole Operating Company, Walsh & Moss, Inc., Walter E. Lummus Company, The, Walter J. Mitchell Company, Incorporated, Walter L. Kent, Inc., Walter S. Place, Inc., Waltham Manufacturing Co. Inc., Waltham Sash & Door Co., Walwyn, Inc., The, Wardwell Rice Company, Warner Furniture Company, Warren Amusement Co., Warren, Bradford Company, Warren Company, Inc., The, Warren Theatre, Inc., Washburn Brothers Company, Washburn Cranberry-Bog Co., Washburn-Stevens Company, Washington Heights Drug Co., Washington Shoe Company, Washington Skirt & Dress Company, The, Washington Square Cafeteria, Inc., Wasser-Abraham Company, Watch City Market, Inc., Waterbury Exhibition Corporation, Waverley Furniture Co., Inc., Way-to-sel Service, Inc., Weathers Rubber Corporation, Webber-Thompson Company, The, Webster Airport Corporation, Webster Sales Co., Welch Leather Research, Inc., Well-Made Pants Company, Wells Tap & Die Company, Wellworth Public Market, Inc., Weltin Shoe Company, Wendell Valet, Inc., successors to American Cleaners & Dyers, West Beach Bathing Company, West Chop Steamboat Company, West Everett Garage Company, West Warwick Novelty Company, Inc., Westboro Body Co., Inc., Weston Box Company, Weston L. Stiles Company, Inc. of Brimfield, Massachusetts, Whale Island Holding Corporation, Wheeldon Wire Company,

Certain corporations dissolved.

Wheeler & Wildes, Inc., Wheeler Last Corporation, Wheelock Manufacturing Company, Whelden Realty Co., White Cash Market, Inc., White Furniture Company, Inc., The, White House Baking Company, Inc., White House Diners, Inc., White Sales Company, White Star Mattress Company, Whitman Amusement Company, Whitmore-Tirrell Shoe Corporation, Whitney-Loomis Corporation, Whittemore Hamm Aviation Company, Whittemore Hamm Company, Widen-Lord Co., Wilbur L. Taylor, Inc., Wilcox Shoe Company, Wilder & Silk, Inc., Wilder Watch Company, Wilgo Service Corporation, Willard's, Inc., Willey Braid and Lace Company, Willey-Noyes Manufacturing Company, William A. Doe Co., William A. Jepson Corporation, William A. Sullivan Shoe Co., Inc., William Cashman Coal Co., Inc., William's Tavern, Inc., Willis & Company, Inc., Willwood Realty Co., Win-Shine Products Inc., Windsor Confectionery Company, Winthrop Investment Company, Witch City Wood Heel, Inc., Wizard Electric Lamp Company, Women's Style Shop, Inc., Wood Pollard Company, Woodfix Products Corporation, Woodruff Publishing Company, Woodward's Incorporated, Woodworth-Neilson-Lenane, Inc., Worcester Beacon Realty Corporation, Worcester Development Corporation, Worcester Electric Supply Co., Worcester Felt Goods Co., Worcester Hardware & Supply Co., Inc., Worcester Last Co., Inc., Worcester Memorial Company, Worcester Mutual Realty Corporation, Worcester Paper Box Company, Worcester Products Company, Worcester Wall Paper and Paint Company, The, Workingmen Co-operative Association of Roxbury, Inc., Woronoco Lodge I. O. O. F. Building Corporation, Worthen & Company, Inc., Worthen Associates, Incorporated, Wright and Sons Company.

Yankee Electrical Company, Inc., Ye Olde Print Shoppe, Inc., Ye Salem Filling Station, Inc., Yoeng's, Inc., Yonkers Floor Covering Company, Yonoco Mfg. Inc., Young Drug Company, Inc.

Za-Rex Company, Inc., The (1927), Zitter-Dores, Inc.

CHARITABLE AND OTHER CORPORATIONS.

Certain charitable and other corporations dissolved.

Achnosas Orchim, Inc., Animal Rescue League of Haverhill, Massachusetts, Inc., The.

Babson Institute (1921), Berkeley Infirmary, The, Berkshire Fruit Growers Association, Inc., Boston National Elks 1924 Convention Association, Browne and Nichols School–Incorporated, The.

Cape Cod Farm Bureau Inc., Charitable Burial Association, Citizens' Committee on Conservation, Inc., Community Service of Brockton Inc.

Eastern Missionary Association, The, Everett Young Mens Hebrew Association.

Finnish Working People's Educational League.

Gill Civic Legion of Massachusetts, The, Greater Boston Hebrew Ladies Aid Association, The.

Certain charitable and other corporations dissolved.

Holy Apostolic Christian Church of the Pentecostal Assemblies of the World, in Boston, The.

Immaculate Conception Educational Association, The, Immaculate Conception Society of Newburyport, The, Immanuel Baptist Church Society in Haverhill, The, Italian War Veterans Association, Italian War Veterans Mutual Benefit Association.

Ladies' Lyceum Union, Lowell Ancient Order of Hibernians Corporation of Lowell, Massachusetts, Lowell Corporation Hospital.

Maironis Association Inc., Malden Hebrew Free Loan Association, The, Massachusetts Public Interests League Incorporated, Minsker Aid Association, Mt. Lebanon Club.

New England Ayrshire Club, The (1910), New England Boy Scouts, Incorporated, New York, New Haven and Hartford Railroad Beneficial Association, The.

Oxford Agricultural Society.

Pan-Hellenic Relief Organization, Inc., Portuguese Immigrant Aid Society of the United States of America, Inc.,The, Progressive Society of Kalloniaton, Arisbe, Haverhill, Mass., The.

St. Botolph Hospital, St. Jean Baptiste Building Association of Hudson, Saint Mary's Educational Association, Standish Monument Association, Students Associated Housekeepers, Inc., The, Syrian Roman-Catholic Melkite Society.

Union Avenue Hospital Nurses' Alumnae Association, Inc.

Vatoussian Educational Society, Inc., Victory House Associates, Inc.

William Albert Burnett Public Art Gallery, Inc.

Young Women's Club of Pittsfield, The, Young Women's Hebrew Association of Boston, The.

Public Service Corporations and Trust Companies.

Certain public service corporations and trust companies dissolved.

Atlas Trust Company, Attleborough Branch Railroad Company.

Bay State Street Railway Company, Blue Hill Street Railway Company, The, Boston and Worcester Street Railway Company.

Commercial Union Telegraph Company of Massachusetts, The.

Franklin Electric Light Company.

Guaranty Trust Company.

Hampden Railroad Corporation, The.

Lynnfield Water Company.

Market Trust Company, Mystic Trust Company.

New Bedford Safe Deposit and Trust Company, New England Telegraph Company (1884), Norton Water Company.

Pepperell Electric Light and Power Company, The, Providence and Fall River Street Railway Company.

Shirley Electric Company.

West Boston Gas Company, Worcester & Warren Street Railway Company.

Pending suits not affected, etc.

SECTION 2. Nothing in this act shall be construed to affect any suit now pending by or against any corporation mentioned herein, or any suit now pending or hereafter brought for any liability now existing against the stockholders or officers of any such corporation, or to revive any charter previously annulled or any corporation previously dissolved, or to make valid any defective organization of any of the supposed corporations mentioned herein.

Proceedings in suits upon choses in action, how brought, etc.

SECTION 3. Suits upon choses in action arising out of contracts sold or assigned by any corporation dissolved by this act may be brought or prosecuted in the name of the purchaser or assignee. The fact of sale or assignment and of purchase by the plaintiff shall be set forth in the writ or other process; and the defendant may avail himself of any matter of defence of which he might have availed himself in a suit upon the claim by the corporation, had it not been dissolved by this act.

No relief from obligation to file tax return, etc.

SECTION 4. Nothing in this act shall be construed to relieve the last person who was the treasurer or assistant treasurer, or, in their absence or incapacity, who was any other principal officer of each of the corporations named in this act, from the obligation to make a tax return as of April first following the date of dissolution as required by chapter sixty-three of the General Laws. The tax liability of each of the corporations named in this act shall be determined in accordance with the existing laws of this commonwealth.

When operative, etc.

SECTION 5. This act shall be operative as of March thirty-first in the current year, except so much thereof as relates to any corporation which was not in existence on said date. *Approved May 12, 1931.*

Chap. 300 AN ACT TO PROVIDE FOR THE CITY OF EVERETT A DEPARTMENT OF SOLDIERS' RELIEF AND STATE AND MILITARY AID UNDER THE DIRECTION OF A COMMISSIONER.

Be it enacted, etc., as follows:

Department of soldiers' relief and state and military aid in city of Everett.

SECTION 1. In the city of Everett, there shall be a department of soldiers' relief and state and military aid under the direction of a commissioner to be appointed as provided in section two.

Commissioner of soldiers' relief and state and military aid, appointment, duties, term.

SECTION 2. The mayor of said city shall, as soon as may be after the passage of this act and annually thereafter in the month of January, subject to confirmation by the board of aldermen, appoint a commissioner of soldiers' relief and state and military aid who shall perform all duties imposed by law relative to the payment and disbursement of state aid, military aid and soldiers' relief. Every such commissioner shall be appointed to serve for a term of one year and until the qualification of his successor, except the one first appointed who shall serve only until the qualification of his successor.

SECTION 3. This act shall take effect upon its passage. *Approved May 12, 1931.*

An Act making certain adjustments in the provisions of the general laws relative to county offices and positions, in consequence of the enactment of laws providing for the classification of certain of such offices and positions, and otherwise perfecting said provisions, and also clarifying by the elimination of redundant language and otherwise the provisions of said general laws relative to state offices and positions subject to classification. *Chap.* 301

Emergency preamble.

Whereas, The deferred operation of this act would in part defeat one of its primary purposes, which is to make the provisions thereof, relative to county offices and positions subject to classification, effective at the time such classifications are put into operation, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

COUNTY OFFICES AND POSITIONS.

G. L. 12, § 18, etc., amended.

Section 1. Chapter twelve of the General Laws, as amended in section eighteen by chapter three hundred and thirty-four of the acts of nineteen hundred and twenty-two and by chapter four hundred and sixty-six of the acts of nineteen hundred and twenty-four, is hereby further amended by striking out said section and inserting in place thereof the following: — *Section 18.* If there is no assistant district attorney, the district attorney may, with the approval of the superior court, employ a clerk to aid him; and in the northern, eastern, middle, southeastern, western and northwestern districts, the court may appoint, for the sitting at which the appointment is made, a competent person to act as an assistant to the district attorney. The compensation of any person employed or appointed hereunder shall be paid from the county treasury, or, if two or more counties constitute the district, equally from the treasury of each.

Clerk or temporary assistant to certain district attorneys, appointment, compensation.

G. L. 12, § 19, etc., amended.

Section 2. Section nineteen of said chapter twelve, as amended by section one of chapter two hundred and thirty-five of the acts of nineteen hundred and twenty-one and by section one of chapter three hundred and forty-six of the acts of nineteen hundred and twenty-four, is hereby further amended by striking out, in the third and fourth lines, the words ", whose annual compensation shall not exceed two thousand dollars," — and by striking out, in the seventh and eighth lines, the words ", whose compensation shall be fixed by said district attorney with like approval", — so as to read as follows: — *Section 19.* The district attorney for the Suffolk district may appoint a messenger and, with the approval of the chief justice of the superior court, such stenographers, telephone operators and other office assistants as in his opinion the interests of the commonwealth require. The compensation of any person appointed hereunder shall be paid

District attorney for Suffolk district, messenger, other office assistants, appointment, etc.

by Suffolk county, and any such person may be removed by said district attorney at his pleasure.

G. L. 12, § 22, amended.

SECTION 3. Section twenty-two of said chapter twelve is hereby amended by striking out, in the fourth, fifth and sixth lines, the words "be fixed by the district attorney, with the approval of the chief justice of the superior court, and shall", — so as to read as follows: — *Section 22.* The district attorney for the northern or southeastern district may employ such persons for clerical or stenographic work as may be approved by any justice of the superior court, and may remove them at his pleasure. Their compensation shall be paid, if they were employed by the district attorney for the northern district, by Middlesex county; or if employed by the district attorney for the southeastern district, by Norfolk and Plymouth counties, one half from each.

Clerks and stenographers in northern and southeastern districts.

G. L. 35, § 4, amended.

SECTION 4. Chapter thirty-five of the General Laws is hereby amended by striking out section four and inserting in place thereof the following: — *Section 4.* The salaries of county treasurers shall be payable by their respective counties.

Salaries of county treasurers.

G. L. 35, § 5, and § 6, as amended, repealed.

SECTION 5. Section five of said chapter thirty-five and section six of said chapter thirty-five, as amended by section one of chapter three hundred of the acts of nineteen hundred and twenty-one, are hereby repealed.

G. L. 35, § 7, amended.

SECTION 6. Section seven of said chapter thirty-five is hereby amended by striking out, in the third line, the words "with such compensation, payable by the county," — and by inserting after the word "commissioners" in the fourth line the words: — with compensation payable by the county, — so as to read as follows: — *Section 7.* The treasurer shall be provided by the county with an office in the court house or other county building, and shall be allowed such clerical assistance as shall be approved by the county commissioners with compensation payable by the county.

Office and clerical assistance.

G. L. 35, § 42, amended.

SECTION 7. Said chapter thirty-five is hereby further amended by striking out section forty-two and inserting in place thereof the following: — *Section 42.* The auditor of Boston shall be the auditor of Suffolk county. No bill against said county shall be paid until audited and allowed by him.

Auditor of Boston to be auditor of Suffolk county.

G. L. 35, § 49, etc., amended.

SECTION 8. Section forty-nine of said chapter thirty-five, inserted by section five of chapter four hundred of the acts of nineteen hundred and thirty, and as amended by section one of chapter two hundred and fifty-four of the acts of the current year, is hereby further amended by adding at the end thereof the following: — The word "salary", as used in this section, shall include compensation, however payable; but nothing in sections forty-eight to fifty-six, inclusive, and nothing done under authority thereof, shall prevent any person from continuing to receive from a county such compensation as is fixed under authority of other provisions of law or as is expressly established by law.

Word "salary" to include compensation, however payable.

G. L. 35, § 54, par. second, amended.

SECTION 9. The second paragraph of section fifty-four of said chapter thirty-five, inserted by section five of said chap-

ter four hundred, is hereby amended by inserting after the word "Suffolk" in the sixteenth line the words: — and Nantucket, — so as to read as follows: —

Recommendations for promotions, transfers and salary increases, supported by such data as the case may require, shall be submitted to the county commissioners of the various counties by the proper authority, and such recommendations, if conforming to the classification and compensation plans and rules provided for in section fifty-one, may, in their discretion, be granted by the county commissioners; except that all cases involving more than one increment in the salary scale, an original appointment at a rate higher than a minimum rate, the creation of a new class, or other departure from the normal procedure as outlined in the classification and compensation plans and rules shall in each instance be referred by the county commissioners to the board, and the action by the board in relation thereto shall be final. Salary increases in counties, other than Suffolk and Nantucket, shall not become effective unless and until an appropriation sufficient to cover the same has been granted by the general court.

Recommendations for promotions, transfers and salary increases to be submitted to county commissioners, etc.

Section 10. Section eight of chapter thirty-six of the General Laws is hereby amended by striking out, in the seventh line, the words "and fix his compensation", — so as to read as follows: — *Section 8.* During the disability of a register, or if a vacancy occurs in the office, the assistant register, or second assistant register, or if none, the clerk, shall perform the register's duties. If the register is disabled and there is no assistant or clerk, or if they are both unable, by reason of illness or otherwise, to perform their official duties, the county commissioners, or in Suffolk county the superior court, may appoint a temporary register of deeds. Notice of such appointment shall be recorded in the registry. Section three shall apply to temporary registers who shall exercise the same powers and duties as registers of deeds until the register or a qualified assistant is able to assume the same, or until the qualification of a new register.

G. L. 36, § 8, amended.

Assistant register of deeds to act, when.

Temporary registers.

Section 11. Said chapter thirty-six is hereby amended by striking out section thirty-three and inserting in place thereof the following: — *Section 33.* The salaries of registers of deeds and all assistant registers of deeds shall be paid by their respective counties; and the salaries of registers of deeds shall be in full for all services rendered as register and as assistant recorder of the land court.

G. L. 36, § 33, amended.

Salaries of registers of deeds and assistant registers of deeds.

Section 12. Section thirty-four of said chapter thirty-six, as amended by section one of chapter four hundred and twenty-two of the acts of nineteen hundred and twenty-one, and by chapter two hundred and forty-seven of the acts of nineteen hundred and twenty-eight, section thirty-five of said chapter thirty-six, as amended by section one of chapter three hundred and forty-nine of the acts of nineteen hundred and twenty-four, and section thirty-six of said chapter thirty-six, as amended by chapter three hundred and one of

G. L. 36, § 34, as amended, § 35, as amended, and § 36, as amended, repealed.

the acts of nineteen hundred and twenty-two, are hereby repealed.

G. L. 36, § 38, amended.

Allowances for clerical assistance.

SECTION 13. Said chapter thirty-six is hereby amended by striking out section thirty-eight and inserting in place thereof the following: — *Section 38.* Registers shall annually be allowed for clerical assistance in their respective registries, to be paid by their respective counties, such amounts as shall be approved by the county commissioners.

G. L. 37, § 17, amended.

Salaries of sheriffs.

SECTION 14. Chapter thirty-seven of the General Laws is hereby amended by striking out section seventeen and inserting in place thereof the following: — *Section 17.* The salaries of sheriffs shall be paid by their respective counties and shall, except as hereinafter provided, be in full compensation for all services rendered both as sheriff and as master or keeper of the jail or house of correction. If a sheriff elects to act as master or keeper of the jail or house of correction and resides thereat, he shall be entitled to rent, heat and light, and such subsistence as he may desire out of the regular subsistence rations purchased for prisoners. The sheriff of Dukes and of Nantucket county may, in addition to his salary, retain to his own use the fees received by him for service of process.

G. L. 37, § 18, § 19, as amended, and § 20, repealed.

SECTION 15. Section eighteen of said chapter thirty-seven, section nineteen of said chapter thirty-seven, as most recently amended by section one of chapter one hundred and eighty-three of the acts of nineteen hundred and twenty-seven, and section twenty of said chapter thirty-seven, are hereby repealed.

G. L. 74, § 29, amended.

County agricultural schools. Amounts to be raised by taxation.

SECTION 16. Section twenty-nine of chapter seventy-four of the General Laws is hereby amended by striking out all after the word "taxation" in the third line, — so as to read as follows: — *Section 29.* If any part of the amount estimated under the preceding section shall be authorized as part of the county taxes, the respective counties shall raise the said amounts by taxation.

G. L. 74, § 30, amended.

Disposition of income from tuition, etc.

SECTION 17. Said chapter seventy-four is hereby further amended by striking out section thirty and inserting in place thereof the following: — *Section 30.* Miscellaneous income of the Bristol county agricultural school, the Essex county agricultural school and the Norfolk county agricultural school, including the tuition of non-resident pupils and receipts from the sale of products and work of pupils, shall be paid to the county treasurer, to be applied to maintenance.

G. L. 111, § 85A, amended.

SECTION 17A. Section eighty-five A of chapter one hundred and eleven of the General Laws, inserted by section three of chapter one hundred and thirteen of the acts of nineteen hundred and twenty-three, is hereby amended by striking out, in the fifteenth, sixteenth and seventeenth lines, the words ", and the proceeds of said loans shall be paid over to the treasurer of said hospital as directed by the county commissioners", — so that the second sentence will read as follows: — Receipts of said hospital shall be paid to the county treasurer at such times as the county commissioners may determine.

Receipts of county tuberculosis hospitals.

Section 18. Chapter one hundred and twenty-six of the General Laws is hereby amended by striking out section eighteen and inserting in place thereof the following: — *Section 18.* The compensation of all officers, assistants and employees of jails and houses of correction shall be paid by their respective counties, and shall be in full compensation for all their services. They shall devote their entire time, not exceeding the time limited by section forty of chapter one hundred and forty-nine, to the performance of their duties, unless released therefrom by the county commissioners. G. L. 126, § 18, amended. Compensation of officers, assistants, etc., of jails and houses of correction.

Section 19. Sections nineteen and twenty of said chapter one hundred and twenty-six are hereby repealed. G. L. 126, §§ 19 and 20, repealed.

Section 20. Section fifty-two of chapter one hundred and twenty-seven of the General Laws is hereby amended by striking out, in the seventh and eighth lines, the words "Their compensation shall be fixed, and they" and inserting in place thereof the word: — They, — so as to read as follows: — *Section 52.* The warden, superintendent, master or keeper of any institution named in the preceding section may, with the approval of the commissioner, appoint such superintendents and instructors to instruct the prisoners in said industries as he and the commissioner shall consider necessary. Such superintendents and instructors shall have the same authority relative to the prisoners as the subordinate officers of the institution where they are employed. They may be removed by the warden, superintendent, master or keeper, with the approval of the commissioner. G. L. 127, § 52, amended. Instruction of prisoners.

Section 21. Section sixty-eight of said chapter one hundred and twenty-seven is hereby amended by striking out, in the sixth, seventh and eighth lines, the words ", and shall receive such compensation as said officer, with the approval of the commissioner, shall determine", — so as to read as follows: — *Section 68.* The warden, superintendent, master or keeper of any institution named in section fifty-one may, with the approval of the commissioner, appoint agents who, under such regulations as the commissioner shall establish, shall purchase tools, implements, materials and machinery and sell manufactured goods as aforesaid. They may be removed at the pleasure of the officer by whom they were appointed. The commissioner shall have no authority to purchase or sell any articles for any institution. G. L. 127, § 68, amended. Purchasing and selling agents.

Section 22. Section forty of chapter one hundred and twenty-eight of the General Laws is hereby amended by striking out all after the word "inclusive" in the twelfth line down to and including the word "inclusive" in the nineteenth line, — so as to read as follows: — *Section 40.* In each county, except Suffolk and except counties maintaining vocational agricultural schools, there shall be an unpaid board of nine trustees to be known as trustees for county aid to agriculture. The county commissioners of each such county shall annually appoint three trustees, qualified as hereinafter provided, to serve for three years from April first of the year of appointment, and shall fill G. L. 128, § 40, amended. Trustees for county aid to agriculture.

any vacancy in said board for the unexpired term. All of said trustees shall be residents of the county where they are appointed, one shall always be a county commissioner of said county, and four so far as is possible shall be taken from the directors, chosen as provided in the following section, of such cities and towns as have appropriated funds toward carrying out sections forty to forty-five, inclusive. The accounts of the trustees shall be audited by the director of accounts in the manner in which other county accounts are audited under general law. The trustees shall annually submit to the county commissioners a report for the previous year with a statement of receipts and expenditures in such form and at such time as is required by them, and they shall cause the said report to be printed as a part of their regular annual report.

Audit of accounts.

G. L. 128, § 44, amended.

SECTION 23. Section forty-four of said chapter one hundred and twenty-eight is hereby amended by striking out all after the word "purposes" in the eighth line, — so that the last sentence will read as follows: — The county commissioners shall include in their annual estimate of county expenses to be appropriated by the general court and raised by the annual county tax levy at least one half of such sums as they deem necessary to carry out said purposes.

County commissioners to include necessary sum in annual estimate to carry out certain purposes.

G. L. 215, § 18, etc., amended.

SECTION 24. Section eighteen of chapter two hundred and fifteen of the General Laws, as amended by chapter three hundred and ninety-two of the acts of nineteen hundred and twenty-three and by section one of chapter one hundred and ninety-four of the acts of nineteen hundred and twenty-four, is hereby further amended by striking out, in the twelfth and thirteenth lines, the words "and fix the compensation of", — so as to read as follows: — *Section 18.* At the trial of any issue of fact in a probate court the presiding judge may appoint a stenographer, who shall be sworn and shall attend the trial, or such part thereof as the judge may direct, and perform like duties and receive the same compensation therefor as a stenographer appointed by the superior court who is not on salary; and the sums so payable for his attendance at court and for any transcript of his notes or part thereof furnished to the judge by his direction shall be paid by the county upon the certificate of the judge. The judges of probate of any county, except Suffolk, may, subject to the approval of the county commissioners of such county, appoint a stenographer for the probate court of such county. The compensation and expenses of such stenographer shall be paid by the county.

Judges of probate may appoint court stenographers.

Permanent stenographers.

G. L. 217, §27A, amended.

SECTION 25. Section twenty-seven A of chapter two hundred and seventeen of the General Laws, inserted by section two of chapter one hundred and ninety-four of the acts of nineteen hundred and twenty-four, is hereby amended by striking out, in the fifth, sixth and seventh lines, the words "The salary of such officer shall be fixed by the judges at a sum not exceeding three thousand dollars and such" and inserting in place thereof the word: — Such, — so as to

read as follows: — *Section 27A.* The judges of probate for Suffolk county may appoint and at their pleasure remove a permanent officer to perform the duties prescribed by section fifty-six A of chapter two hundred and fifteen and such other duties as said judges may determine. Such officer shall be allowed such sums for necessary traveling and other expenses as may be approved by the judges. The salary and expenses of such officer shall be paid by the county of Suffolk. Judges of probate for Suffolk county may appoint, etc., permanent officer, etc.

Section 25A. Section thirty of said chapter two hundred and seventeen is hereby amended by striking out, in the nineteenth and twentieth lines, the words "his own expense provide" and inserting in place thereof the words: — the expense of his county be furnished with, — so that the last sentence will read as follows: — Each officer appointed hereunder shall serve the orders, precepts and processes issued by the probate court for which he is appointed or by a judge thereof; and, except in Plymouth county, shall at the expense of his county be furnished with a uniform such as the court shall order, which he shall wear while in attendance on said courts. G. L. 217, § 30, amended. Court officers for Middlesex, Plymouth and Suffolk counties.

Section 26. Section thirty-one of said chapter two hundred and seventeen is hereby amended by striking out the last sentence and inserting in place thereof the following: — They shall, while in attendance on said court, wear uniforms, such as the court shall order, to be furnished at the expense of said county. G. L. 217, § 31, amended. Messengers in Middlesex county.

Section 27. Section thirty-two of said chapter two hundred and seventeen is hereby amended by striking out the last sentence and inserting in place thereof the following: — He shall, while in attendance on said court, wear a uniform, such as the court shall order, to be furnished at the expense of said county. G. L. 217, § 32, amended. Messenger for Suffolk county.

Section 28. Said chapter two hundred and seventeen, as amended in section thirty-nine by section two of chapter forty-two of the acts of nineteen hundred and twenty-one and by section one of chapter four hundred and fifteen of the acts of nineteen hundred and twenty-four, is hereby further amended by striking out said section thirty-nine and inserting in place thereof the following: — *Section 39.* The compensation of court officers for attendance at sessions of the probate courts and of messengers for said courts, whose appointment is authorized by law, shall be paid by their respective counties. G. L. 217, § 39, etc., amended. Probate courts, court officers and messengers, compensation.

Section 29. Section sixty-three of chapter two hundred and eighteen of the General Laws is hereby amended by striking out all after the word "courts" in the third line and inserting in place thereof the following: — , which shall be furnished at the expense of Suffolk county, — so as to read as follows: — *Section 63.* Court officers in district courts in Boston shall, while on duty in said courts, wear uniforms to be approved by the justices of said courts, which shall be furnished at the expense of Suffolk county. G. L. 218, § 63, amended. Uniforms in district courts in Boston.

G. L. 218, § 65, etc., amended.

SECTION 30. Section sixty-five of said chapter two hundred and eighteen, as amended by section two of chapter eighty-six of the acts of nineteen hundred and twenty-four, is hereby further amended by striking out all after the word "officer" in the tenth line down to and including the word "any" in the thirteenth line and inserting in place thereof the word: — Any, — and by inserting after the word "officer" in the fourteenth line the words: — as aforesaid, — so as to read as follows: — *Section 65.* In the absence of a court officer, or, in the municipal court of the city of Boston, whenever a majority of the justices think the business requires, a temporary court officer may be appointed in the manner provided in section sixty-one, who shall have all the powers and duties of a court officer. The justice of the third district court of eastern Middlesex may appoint for service during such time as three simultaneous sessions of said court are being held, and may remove as provided in section sixty-one, a part time court officer, who shall have all the powers and duties of a court officer. Any compensation for service performed for an absent court officer as aforesaid in excess of fifteen days in any one year shall be deducted by the county treasurer from the salary of such court officer.

Temporary court officers in district courts.

Part time court officer in third district court of eastern Middlesex.

G. L. 218, § 67, amended.

SECTION 31. Said chapter two hundred and eighteen is hereby amended by striking out section sixty-seven and inserting in place thereof the following: — *Section 67.* The justices of the municipal court of the city of Boston may appoint such official interpreters as they may deem necessary for the criminal and for the civil sessions of the court. The interpreters shall hold their positions at the pleasure of the court and shall render such additional service as the chief justice of said court may require. Said justices shall forthwith discharge any such interpreter who shall be found by them to have requested or received, directly or indirectly, any gratuity, bonus or fee in connection with any criminal or civil case pending or in course of preparation for presentation to any court. Other interpreters may be employed when the services of the official interpreter are not available.

Interpreters in Boston municipal court.

G. L. 218, § 68, etc., amended.

SECTION 32. Section sixty-eight of said chapter two hundred and eighteen, as amended by section one of chapter two hundred and fifty-five of the acts of nineteen hundred and twenty-five, is hereby further amended by striking out, in the third and fourth lines, the words ", and may fix his compensation, which shall not exceed fifteen hundred dollars annually", — so as to read as follows: — *Section 68.* The justice of the East Boston district court may appoint an Italian interpreter for that court. Said interpreter shall be entitled to an annual vacation period of fifteen working days with pay.

Interpreter in East Boston district court.

G. L. 218, § 69, etc., amended.

SECTION 33. Section sixty-nine of said chapter two hundred and eighteen, as most recently amended by section one of chapter three hundred and ninety-nine of the acts of nineteen hundred and twenty-two, is hereby further amended by

striking out, in the fourth line, the word "extra" and also by striking out all after the word "approve" in the seventh line, — so as to read as follows: — *Section 69.* The clerk of each district court, except the clerks of the municipal court of the city of Boston for civil and criminal business, shall be allowed annually for clerical assistance such amount as the mayor of the city of Boston, if the district court is in Suffolk county, or as the county commissioners, if it is in any other county, may approve. Clerical assistance to certain clerks.

Section 34. Said chapter two hundred and eighteen, as most recently amended in section seventy by section two of said chapter three hundred and ninety-nine, is hereby further amended by striking out said section seventy and inserting in place thereof the following: — *Section 70.* The clerks of the municipal court of the city of Boston for civil business and for criminal business and the clerk of the Boston juvenile court shall each be annually allowed for clerical assistance such amounts as the majority of the justices of said municipal court and the justice of said Boston juvenile court, respectively, may recommend, subject, however, to the approval of the officers having in Suffolk county the powers of county commissioners. G. L. 218, § 70, etc., amended. Clerical assistance to clerks of municipal court of city of Boston for civil and criminal business, and Boston juvenile court.

Section 35. Section seventy-five of said chapter two hundred and eighteen, as most recently amended by section one of chapter four hundred and fifteen of the acts of nineteen hundred and thirty, is hereby further amended by striking out all after the word "dollars" in the fourth line, — so as to read as follows: — *Section 75.* The salary of the chief justice of the municipal court of the city of Boston shall be ten thousand dollars, and the salary of each of the associate justices shall be nine thousand dollars. G. L. 218, § 75, etc., amended. Municipal court of the city of Boston, salaries of justices.

Section 36. Section eighty-three of said chapter two hundred and eighteen, as most recently amended by section one of chapter two hundred and fifty-six of the acts of nineteen hundred and twenty-five, is hereby repealed. G. L. 218, § 83, as amended, repealed.

Section 37. Section eighty-four of said chapter two hundred and eighteen is hereby amended by striking out, in the first line, the words ", clerks and officers" and inserting in place thereof the words: — and clerks, — so as to read as follows: — *Section 84.* Justices and clerks whose salaries are fixed in this chapter shall be paid at the same rate for any part of a year, and in computing the rate by the day of the compensation of justices and clerks of district courts, Sundays and legal holidays shall not be included in the days on which the courts are open for business. G. L. 218, § 84, amended. Computation of compensation of justices and clerks.

Section 38. Section five of chapter two hundred and twenty-one of the General Laws, as amended by section six of chapter one hundred and sixty-four of the acts of nineteen hundred and twenty-three, is hereby further amended by adding at the end thereof the following new paragraph: — G. L. 221, § 5, etc., amended.

Assistants pro tempore or for the term of one year appointed under this section shall be paid by the county monthly. Clerks of the courts may appoint assistants pro tempore.

G. L. 221, § 71, etc., amended.

Section 39. Section seventy-one of said chapter two hundred and twenty-one, as amended by section one of chapter three hundred and fifty-two of the acts of nineteen hundred and twenty-three, is hereby further amended by striking out the last sentence.

G. L. 221, § 74, as amended, repealed.

Section 40. Section seventy-four of said chapter two hundred and twenty-one, as amended by section one of chapter four hundred and seventeen of the acts of nineteen hundred and twenty-four, is hereby repealed.

G. L. 221, § 75, etc., amended.

Section 41. Said chapter two hundred and twenty-one, as amended in section seventy-five by chapter four hundred and twenty-three of the acts of nineteen hundred and twenty-one and by chapter one hundred and thirty-eight of the acts of nineteen hundred and twenty-five, is hereby further amended by striking out said section and inserting in place thereof the following: — *Section 75.* The compensation of deputy sheriffs not on salary and of constables for attendance upon the supreme judicial, superior or probate court, or upon the sessions of the county commissioners, shall be paid by the respective counties, except that for attendance upon the supreme judicial court in Suffolk county when said court is sitting for the commonwealth it shall be paid by the commonwealth.

Fees of deputy sheriffs and constables for attendance upon certain courts, etc.

G. L. 221, § 76, amended.

Section 42. Section seventy-six of said chapter two hundred and twenty-one is hereby amended by striking out the last sentence and inserting in place thereof the following: — The messenger of the superior court in said county shall also act as clerical assistant of the justices of said court. His salary shall be paid by said county and shall be in full for his services in both capacities.

Duties and salary of messenger of superior court.

G. L. 221, § 80, amended.

Section 43. Said chapter two hundred and twenty-one is hereby further amended by striking out section eighty and inserting in place thereof the following: — *Section 80.* Court officers receiving stated salaries and deputy sheriffs in attendance upon the supreme judicial or superior court in Suffolk, Middlesex and Worcester counties shall, while on duty in said courts, wear uniforms which shall be designated by the sheriff of the county. Such uniforms for court officers aforesaid in attendance upon either court in Middlesex or Worcester county or upon the superior court in Suffolk county shall be furnished at the expense of their respective counties; and court officers paid under section seventy-three who are appointed to attend upon the supreme judicial court in Suffolk county shall each be annually allowed by said county one hundred dollars in addition to the salary allowed by law in order to provide such uniform.

Court officers to wear uniforms.

G. L. 221, § 91, etc., amended.

Section 44. Said chapter two hundred and twenty-one, as amended in section ninety-one by section eight of chapter three hundred and thirty-two of the acts of nineteen hundred and twenty-seven, is hereby further amended by striking out said section ninety-one and inserting in place thereof the following: — *Section 91.* In counties having a population of more than two hundred thousand, official stenog-

Salaries and compensation of stenographers

raphers, other than additional stenographers, appointed by the justices of the superior court shall receive salaries established in accordance with sections forty-eight to fifty-six, inclusive, of chapter thirty-five, to be paid by the respective counties. Other official stenographers, additional stenographers and temporary stenographers shall receive from the county in which they are employed, on the order of the presiding justice, compensation established as aforesaid for each day's actual and necessary attendance; and if the service is rendered outside the county in which the stenographer resides or has his usual place of business, the justice shall allow him in addition to such compensation his reasonable and actual expenses for transportation, food and lodging. The stenographer appointed under section eighty-two for the county of Nantucket shall be allowed in addition thereto the sum of eighteen dollars for each sitting as compensation for time consumed in traveling. In the superior court.

Section 45. Section ninety-two of said chapter two hundred and twenty-one, as amended by chapter two hundred and ninety-four of the acts of nineteen hundred and twenty-six, is hereby further amended by striking out, in the fourth line, the words ", and fix their compensation", — by striking out, in the twelfth line, the word "such" and inserting in place thereof the word: — additional, — by striking out, in the twelfth and thirteenth lines, the words "as the court may allow", — and by striking out, in the sixteenth and seventeenth lines, the words "allowing reasonable compensation to" and inserting in place thereof the word: — employing, — so as to read as follows: — *Section 92.* The justices of the superior court may appoint such official interpreters as they may deem necessary for the sessions of the court. Such interpreters shall hold their positions at the pleasure of the court and render such additional service as any justice of the court requires. No official interpreter shall request or receive, directly or indirectly, any gratuity, bonus or fee, in connection with any case pending, or in course of preparation for presentation to said court; provided, that upon request of the district attorney such interpreter may, in the discretion of the court, receive additional compensation for his services as an interpreter at such hours or times as the courts are not in session, which shall be paid under section twenty-four of chapter twelve. G. L. 221, § 92, etc., amended. Official interpreters for superior court, appointment, etc. Proviso.

This section shall not prevent the justices from employing other interpreters when the services of the official interpreters are not available. The expenses incurred hereunder shall be paid by the county in which the prosecution, suit or action is pending. Other interpreters. Expenses, payment by county.

Section 46. Said chapter two hundred and twenty-one is hereby further amended by striking out section ninety-four and inserting in place thereof the following: — *Section 94.* Except as provided in section ninety-three and except as hereinafter provided, the salaries of clerks of courts and all assistant clerks of courts, other than clerks G. L. 221, § 94, amended. Salaries of clerks and assistant clerks of courts.

and assistant clerks of district courts, shall be established in accordance with sections forty-eight to fifty-six, inclusive, of chapter thirty-five and shall be paid by their respective counties. The salary of the assistant clerk of the superior court for civil business in Suffolk county appointed to perform the duties of clerk pertaining to equity proceedings in said court and designated to act as clerk of said court when sitting in Boston for the hearing of causes from any other county shall be six thousand dollars, of which one thousand dollars shall be paid by the commonwealth. The salary of the clerk of the supreme judicial court for Suffolk county shall be sixty-eight hundred dollars plus one hundred dollars additional for each fifty thousand population of Suffolk county above eight hundred and fifty thousand, as established by the next preceding state or national census, and fifteen hundred dollars of said salary shall be paid by the commonwealth. In the year following each state and national census, the treasurer of Suffolk county shall adjust the salary of said clerk of the supreme judicial court in accordance with the foregoing provision, on the basis of said census, and the salary so adjusted shall be allowed from January first in the year of adjustment. The assistant clerks of the superior court for Suffolk county may receive their salary in bi-weekly instalments if they so request in writing.

G. L. 221, § 95, as amended, § 96, as amended, § 97, as amended, and § 98, as amended, repealed.

SECTION 47. Section ninety-five of said chapter two hundred and twenty-one, as amended by section two of chapter two hundred and six of the acts of nineteen hundred and twenty-three and by section one of chapter two hundred and thirty-five of the acts of nineteen hundred and twenty-seven, section ninety-six of said chapter two hundred and twenty-one, as amended by section thirty-four of chapter four hundred and eighty-six of the acts of nineteen hundred and twenty-one, section ninety-seven of said chapter two hundred and twenty-one, as amended by section two of chapter two hundred and thirty-five of the acts of nineteen hundred and twenty-seven, and section ninety-eight of said chapter two hundred and twenty-one, as amended by section one of chapter three hundred and fifty of the acts of nineteen hundred and twenty-four, are hereby repealed.

G. L. 221, § 102, amended.

SECTION 48. Said chapter two hundred and twenty-one is hereby further amended by striking out section one hundred and two and inserting in place thereof the following: —

Clerical assistance.

Section 102. The clerks of the courts in the several counties, the clerk of the supreme judicial court for Suffolk county and the clerks of the superior court for said county shall each be annually allowed for clerical assistance, to be paid by their respective counties, such amounts as shall be approved by the county commissioners in a writing signed by them or, in Suffolk county, by vote of the officers having in said county the powers of county commissioners.

G. L. 276, § 88, amended.

SECTION 49. Section eighty-eight of chapter two hundred and seventy-six of the General Laws is hereby amended by striking out, in the fifth and sixth lines, the words "shall be

fixed by the respective courts, and", — so as to read as follows: — *Section 88.* Every court appointing probation officers may employ such clerical assistance as it deems necessary to keep, index and consolidate the records required to be kept by probation officers and for such other work in connection with its probation service as the court may determine. The compensation for such service, together with such other necessary expenses as the court shall incur in connection with such work, shall be paid by the county upon vouchers approved by said court.

Clerical assistance for probation officers.

Expenses, payment by county.

Section 50. For the purpose of putting into effect the initial classification and compensation plan and rates provided for by chapter four hundred of the acts of nineteen hundred and thirty, mileage and uniform allowances theretofore specifically established by law for persons holding county offices and positions subject to such classification shall, in computing rates of pay of incumbents thereof in effect immediately prior to the effective date of such classification, be treated as a part of their compensation.

Mileage and uniform allowances to be treated as part of compensation in computing rates of pay of persons holding county offices and positions subject to classification.

STATE OFFICES AND POSITIONS.

Section 51. Section twenty-five of chapter six of the General Laws, as amended by chapter one hundred and ninety-one of the acts of nineteen hundred and twenty-two, is hereby further amended by striking out the second sentence, — so as to read as follows: — *Section 25.* The commissioner, with the approval of the governor and council, may appoint a chief clerk and not more than eight other clerks and stenographers and twelve agents.

G. L. 6, § 25, etc., amended.

Commissioner of state aid and pensions may appoint chief clerk, etc.

Section 52. Section six of chapter seven of the General Laws, as appearing in section one of chapter three hundred and sixty-two of the acts of nineteen hundred and twenty-three, is hereby amended by striking out, in the ninth line, the words ", and shall fix their compensation", — so that the third sentence will read as follows: — It may also employ such other persons as the work of the commission may require and remove them.

G. L. 7, § 6, amended.

Commission on administration and finance, employment of persons.

Section 53. Section five of chapter eight of the General Laws, as most recently amended by chapter one hundred and seventy-five of the acts of nineteen hundred and twenty-eight, is hereby further amended by striking out, in the first and second lines, the words "He shall fix the compensation of all persons employed by him; provided, that the" and inserting in place thereof the word: — The, — and also by inserting after the word "work" in the fifth line the following: — ; provided, — so that the first sentence will read as follows: — The pay of scrub women employed by the commonwealth shall be based upon a regular weekly rate of sixteen dollars and fifty cents for thirty-three hours' work; provided, that when a lesser or greater number of hours are worked by them than the aforesaid thirty-three hours, the resulting reductions or additions shall be based upon an

G. L. 8, § 5, etc., amended.

Compensation of scrub women employed by state.

Proviso.

hourly rate of fifty cents and that they shall be allowed for time off on legal holidays at the regular weekly rate.

G. L. 9, § 2, etc., amended.

Section 54. Section two of chapter nine of the General Laws, as most recently amended by section one of chapter two hundred and thirty-two of the acts of nineteen hundred and twenty-eight, is hereby further amended by striking out, in the fourth and fifth lines, the words ", each at such salary as may be fixed by the secretary", — and by striking out, in the seventh line, the words "and may fix their compensation", — so that the first and second sentences will read as follows: — He may appoint a first deputy, a second deputy, a cashier for whose conduct he shall be responsible and from whom he may require a bond, and a chief of the archives division. He may also appoint clerks, messengers and other assistants necessary for the prompt despatch of public business.

State secretary may appoint deputies, cashier, etc.

G. L. 9, § 4, etc., amended.

Section 55. Section four of said chapter nine, as amended by section two of said chapter two hundred and thirty-two, is hereby further amended by striking out, in the fourth and fifth lines, the words ", and may fix his compensation", — so that the first sentence will read as follows: — The secretary shall, with the approval of the governor and council, appoint, and may, with like approval, remove, a competent person to be known as supervisor of public records.

Supervisor of public records.

G. L. 9, § 10, etc., amended.

Section 56. Section ten of said chapter nine, as most recently amended by section four of said chapter two hundred and thirty-two, is hereby further amended by striking out, in the fourth line, the words ", and may fix his compensation", — so that the first sentence will read as follows: — The state secretary may, with the approval of the governor and council, appoint and remove a state registrar of vital statistics, who shall be a competent statistician.

State registrar of vital statistics.

G. L. 10, § 5, amended.

Section 57. Section five of chapter ten of the General Laws is hereby amended by striking out, in the twelfth line, the words ", fix their salaries", — so that the third sentence will read as follows: — The treasurer may employ in his department to assist him in the performance of his duties, other than those in connection with the board of retirement, an accountant, a junior accountant, a paying teller, a warrant teller, an assistant warrant teller, a receiving teller, an assistant receiving teller, a bond clerk, a fund clerk, a warrant clerk, a record clerk, a messenger and two stenographers and expend for additional clerical and other assistance such sum as may be appropriated therefor.

State treasurer may employ certain other employees to assist him in performance of duties.

G. L. 10, § 20, amended.

Section 58. Section twenty of said chapter ten is hereby amended by striking out, in the third line, the words "and may fix their compensation", — so as to read as follows: — *Section 20.* The state treasurer may appoint and remove such clerical and other assistants as may be required to carry on the work of the state board of retirement.

Clerical assistants for state board of retirement.

G. L. 11, § 6, etc., amended.

Section 59. Section six of chapter eleven of the General Laws, as amended by section fifteen of chapter three hundred and sixty-two of the acts of nineteen hundred and

twenty-three, is hereby further amended by striking out, in the third line, the words "and fix their compensation", — so that the first sentence will read as follows: — The state auditor may appoint and remove such employees as the work of the department may require.

State auditor may appoint, etc., employees.

Section 60. Section three of chapter thirteen of the General Laws is hereby amended by striking out, in the third line, the words "and fix their compensation", — so that the first sentence will read as follows: — The commissioner may appoint and remove such officers and employees as the work of the division of civil service may require.

G. L. 13, § 3, amended.

Commissioner of civil service, employees.

Section 61. Section thirty-two of said chapter thirteen is hereby amended by striking out the third sentence.

G. L. 13, § 32, amended.

Section 62. Chapter fourteen of the General Laws, as most recently amended in section four by chapter three hundred and two of the acts of nineteen hundred and twenty-eight, is hereby further amended by striking out said section and inserting in place thereof the following: — *Section 4.* The commissioner may, with the advice and consent of the governor and council, appoint and remove the following officers and subordinates in his department:

G. L. 14, § 4, etc., amended.

Commissioner of corporations and taxation may appoint deputy commissioners and other subordinates.

A deputy commissioner and a second deputy, each at such salary as may be fixed by the commissioner, with the approval of the governor and council;

Directors of divisions, at such salary as may be fixed by the commissioner, with the approval of the governor and council;

Such supervisors of assessors, assistants and examiners as the commissioner may deem necessary, subject to the approval of the governor and council, one income tax assessor for each district established by the commissioner for the assessment and collection of the income tax, and such deputy income tax assessors, who may be members of local boards of assessors as the governor and council may deem necessary;

A principal appraiser, at such salary as may be fixed by the commissioner, with the approval of the governor and council;

Such assistants to the director of accounts as may from time to time be necessary to carry out sections forty-four to forty-seven, inclusive, of chapter thirty-five and sections thirty-five to forty-three, inclusive, of chapter forty-four.

He may appoint two permanent clerks, and may appoint such assistants to the director of the income tax division, and such assistants and clerks to the income tax assessors, as the governor and council may deem necessary.

He may appoint from time to time such appraisers as may be necessary to appraise property subject to the inheritance tax or to assist him in determining land values under section thirteen of chapter fifty-eight.

He may appoint such additional officials, agents, clerks and other employees as the work of the department requires and may remove them.

G. L. 15, § 5, amended.

SECTION 63. Section five of chapter fifteen of the General Laws is hereby amended by striking out, in the ninth and tenth lines, the words "and fix their compensation", — so that the third sentence will read as follows: — Except in the case of the teachers' retirement board, the division of public libraries, the division of the blind and institutions under the department, the commissioner may appoint such agents, clerks and other assistants as the work of the department may require, may assign them to divisions, transfer and remove them, but none of such employees shall have any direct or indirect pecuniary interest in the publication or sale of any text or school book, or article of school supply used in the public schools of the commonwealth.

Department of education. Agents and clerical assistants.

G. L. 15, § 11, etc., amended.

SECTION 64. Section eleven of said chapter fifteen, as amended by chapter one hundred and twenty-one of the acts of nineteen hundred and twenty-two, is hereby further amended by striking out the second sentence and inserting in place thereof the following: — The library board, with the consent of the governor and council, may also appoint an agent for a term not exceeding five years and an agent or secretary who shall also direct work in libraries for the benefit of the alien population of the commonwealth.

Board of free public library commissioners, appointment of agent for work among aliens.

G. L. 15, § 15, etc., amended.

SECTION 65. Section fifteen of said chapter fifteen, as amended by section two of chapter two hundred and eighty-six of the acts of nineteen hundred and twenty-five, is hereby further amended by striking out, in the second and third lines, the words ", and fix the compensation of," — so as to read as follows: — *Section 15.* The director, with the advice of the advisory board, shall appoint or employ such subordinate officers, agents, teachers and clerks as may be necessary, and may remove them; but no person appointed or employed by him shall be a member of the advisory board.

Division of the blind, subordinate officers, agents, etc., appointment, etc.

G. L. 15, § 18, amended.

SECTION 66. Section eighteen of said chapter fifteen is hereby amended by striking out the last sentence, — so as to read as follows: — *Section 18.* The retirement board may employ a secretary, who shall give bond, and also necessary clerical and other assistance.

Teachers' retirement board, clerical assistance.

G. L. 16, § 4, etc., amended.

SECTION 67. Section four of chapter sixteen of the General Laws, as amended by section three of chapter two hundred and ninety-seven of the acts of nineteen hundred and twenty-seven, is hereby further amended by striking out, in the eleventh line, the words "and fix their compensation", — so that the fourth sentence will read as follows: — The commissioner may appoint and remove such officials and employees as the work of the department may require.

Commissioner of public works, powers.

G. L. 17, § 6, amended.

SECTION 68. Section six of chapter seventeen of the General Laws is hereby amended by striking out, in the fourth line, the words ", and may fix their compensation", — so as to read as follows: — *Section 6.* The commissioner may, with the approval of the public health council, appoint and remove assistant directors of divisions and epidemiologists, who shall be exempt from chapter thirty-one, inspectors and other necessary employees.

Commissioner of public health, appointment of assistant directors and other employees.

Section 69. Section seven of said chapter seventeen is hereby amended by striking out the last sentence. G. L. 17, § 7, amended.

Section 70. Section nine of said chapter seventeen is hereby amended by striking out, in the sixth and seventh lines, the words ", may fix their compensation", — so as to read as follows: — *Section 9.* In addition to the persons employed under section six, the commissioner, with the approval of the public health council, may appoint a treasurer for each sanatorium, who shall give bond for the faithful performance of his duties, and physicians, assistants and employees necessary for the proper administration of the affairs of the institutions under the charge of the division and may incur all expenses necessary for the maintenance of the institutions. G. L. 17, § 9, amended. Employees of the division of sanatoria.

Section 71. Section four of chapter eighteen of the General Laws is hereby amended by striking out, in the fifth line, the words ", and fix their compensation", — so that the first sentence will read as follows: — Except as otherwise provided, the commissioner of public welfare may appoint such officials, agents, clerks and other employees as the work of the department may require, designate their duties, except so far as they are otherwise defined by law, assign them to divisions, transfer and remove them. G. L. 18, § 4, amended. Commissioner of public welfare, appointment of clerical and other assistants.

Section 72. Section fourteen of said chapter eighteen is hereby amended by striking out, in the second line, the words ", at a salary to be fixed by the trustees", — so that the first sentence will read as follows: — The trustees shall appoint, and may remove, a secretary not a member of the board. G. L. 18, § 14, amended. Division of juvenile training, secretary.

Section 73. Section four of chapter nineteen of the General Laws, as amended by chapter thirteen of the acts of the current year, is hereby further amended by striking out, in the fifteenth line, the words ", and shall fix their compensation", — so that the third sentence will read as follows: — The commissioner shall appoint and may remove such agents and subordinate officers as the department may deem necessary. G. L. 19, § 4, etc., amended. Commissioner of mental diseases, appointment of agents, etc.

Section 74. Section four of chapter twenty of the General Laws is hereby amended by striking out, in the thirteenth line, the words ", and fix their compensation", — so that the last sentence will read as follows: — The commissioner may also appoint an inspector of apiaries and such other inspectors, investigators, scientific experts, clerks and other officers and assistants as the work of the department may require, and may assign them to divisions, transfer and remove them. G. L. 20, § 4, amended. Commissioner of agriculture, appointment of inspectors and other employees.

Section 75. Section five of chapter twenty-one of the General Laws is hereby amended by striking out, in the third and fourth lines, the words ", and fix their compensation", — so that the first sentence will read as follows: — The director may, subject to the approval of the commissioner, appoint and remove a state fire warden and such experts, clerical and other assistants as the work of the division may require. G. L. 21, § 5, amended. Director of division of forestry, appointment of experts and clerical assistants.

G. L. 21, § 7, etc., amended.

SECTION 76. Section seven of said chapter twenty-one, as most recently amended by chapter one hundred and seventy of the acts of nineteen hundred and twenty-eight, is hereby further amended by striking out, in the fifth and sixth lines, the words "fix their compensation, which" and inserting in place thereof the words: — their compensation, — so that the first sentence will read as follows: — Except as provided in the following section, the director may, subject to the approval of the commissioner, appoint and remove such experts, fish and game wardens, clerical and other assistants as the work of the division may require, and their compensation shall be paid by the commonwealth.

Division of fisheries and game, experts, fish and game wardens, etc., appointment, etc.

G. L. 21, § 10, amended.

SECTION 77. Section ten of said chapter twenty-one is hereby amended by striking out, in the third line, the words ", and fix their compensation", — so as to read as follows: — *Section 10.* The director may, subject to the approval of the commissioner, appoint and remove such experts, clerical and other assistants as the work of the division may require.

Experts, clerical assistants, etc.

G. L. 22, § 6, etc., amended.

SECTION 78. Section six of chapter twenty-two of the General Laws, as amended by section one of chapter three hundred and twenty-two of the acts of nineteen hundred and twenty-five, is hereby further amended by striking out, in the third line, the words "and fix their compensation", — so that the first sentence will read as follows: — The commissioner may appoint, transfer and remove officers, inspectors, experts, clerks and other assistants.

Commissioner of public safety may appoint officers and other assistants.

G. L. 23, § 9B, amended.

SECTION 79. Section nine B of chapter twenty-three of the General Laws, inserted by section one of chapter three hundred and fifty-seven of the acts of nineteen hundred and twenty-nine, is hereby amended by striking out, in the sixth line, the words "and fix their compensation", — so that the second sentence will read as follows: — It may also employ such other necessary clerks and employees as it may require.

The Massachusetts Industrial Commission, necessary clerks and employees.

G. L. 24, § 5, amended.

SECTION 80. Section five of chapter twenty-four of the General Laws is hereby amended by striking out, in the second line, the words "and fix their compensation", — so that the first sentence will read as follows: — The department may appoint and remove not more than six inspectors.

Department of industrial accidents, inspectors.

G. L. 25, § 7, amended.

SECTION 81. Section seven of chapter twenty-five of the General Laws is hereby amended by striking out, in the fifth line, the words ", and fix their compensation", — so that the first sentence will read as follows: — For the performance of the department's duties relative to common carriers the commission may appoint or employ and remove such engineers, accountants, statisticians, bureau chiefs and division heads, assistants, inspectors, clerks and other subordinates as are required therefor, and may appoint on such terms as it deems advisable a counsel and attorneys who, in the conduct of litigation and court proceedings, shall act under the direction of the attorney general.

Department of public utilities. Employees and counsel for the performance of duties relative to common carriers.

Section 82. Section nine of said chapter twenty-five is hereby amended by striking out, in the seventh line, the words "and at such salaries", — so as to read as follows: — *Section 9.* For the performance of the department's duties relative to water, gas and electric companies the commission may expend annually for necessary statistics, books, stationery and contingent expenses, and for clerical and other assistance, such sums as the general court shall annually appropriate, and may appoint or employ, subject to the approval of the governor and council, such expert assistance as it may deem advisable, on such terms of office or employment as it may deem proper, and may expend therefor and for the performance of the duties imposed upon it by law such sums as the general court shall annually appropriate. G. L. 25, § 9, amended. Expenses and employees for the performance of duties relative to water, gas and electric companies.

Section 83. Section three of chapter twenty-six of the General Laws, as amended by chapter five hundred and thirteen of the acts of nineteen hundred and twenty-two, is hereby further amended by striking out, in the fifth and sixth lines, the words ", and fix their compensation", — so that the second sentence will read as follows: — The commissioner may appoint and remove such clerical and other assistants as the work of the division may require. G. L. 26, § 3, etc., amended. Commissioner of banks may appoint, etc., employees.

Section 84. Section seven of said chapter twenty-six, as amended by chapter two hundred and sixty-one of the acts of nineteen hundred and twenty-four, is hereby further amended by striking out, in the twelfth line, the words ", and fix their compensation", — so that the third sentence will read as follows: — The commissioner may appoint and remove such clerical and other assistants as the work of the division may require. G. L. 26, § 7, etc., amended. Commissioner of insurance may appoint, etc., clerical and other assistants.

Section 85. Section eleven of said chapter twenty-six is hereby amended by striking out, in the third, fourth and fifth lines, the words "with such salary or compensation to be paid by the commonwealth as the trustees shall from time to time determine" and inserting in place thereof the following: — and his salary or compensation shall be paid by the commonwealth, — so that the first sentence will read as follows: — The trustees shall, with the approval of the governor and council, appoint, and may with their consent remove, an insurance actuary to be called the state actuary, and his salary or compensation shall be paid by the commonwealth. G. L. 26, § 11, amended. Division of savings bank life insurance, state actuary.

Section 86. Section twelve of said chapter twenty-six is hereby amended by striking out, in the third, fourth and fifth lines, the words "with such salary or compensation to be paid by the commonwealth as the trustees shall from time to time determine" and inserting in place thereof the following: — and his salary or compensation shall be paid by the commonwealth, — so that the first sentence will read as follows: — The trustees shall, with the approval of the governor and council, appoint, and may with their consent remove, a physician to be known as the state medical director, and his salary or compensation shall be paid by the commonwealth. G. L. 26, § 12, amended. State medical director.

G. L. 27, § 3, amended.

SECTION 87. Chapter twenty-seven of the General Laws is hereby amended by striking out section three and inserting in place thereof the following: — *Section 3.* The commissioner may appoint a director of physical training and employ such clerical assistants as may be necessary.

Commissioner of correction may appoint clerical assistants, etc.

G. L. 27, § 4, etc., amended.

SECTION 88. Section four of said chapter twenty-seven, as amended by section one of chapter two hundred and thirty-one of the acts of nineteen hundred and twenty-three, is hereby further amended by striking out, in the sixth and seventh lines, the words "may remove them and may fix their compensation" and inserting in place thereof the following: — and may remove them, — so that the first sentence will read as follows: — The commissioner may employ such number of male and female agents as may be approved by the governor and council to enable him and the board of parole to carry out the laws relative to the parole of prisoners from state penal institutions, their supervision while on parole and the procuring of employment for them, and may remove them.

Agents of department of correction, employment, etc.

G. L. 28, § 4, amended.

SECTION 89. Section four of chapter twenty-eight of the General Laws is hereby amended by striking out, in the sixth line, the words "and fix their compensation", — so that the first sentence will read as follows: — The commissioners may appoint a secretary, engineering chiefs, a purchasing agent, engineers, inspectors, officers and members of the police force, one or more women as special police officers, clerks and such other officers and employees as the work of the commission may require, may assign them to divisions, transfer and remove them.

Metropolitan district commission, employees.

G. L. 120, § 3, amended.

SECTION 90. Section three of chapter one hundred and twenty of the General Laws is hereby amended by striking out, in the second line, the words ", and shall fix their compensation" and also by striking out, in the fourth line, the words "and fix their compensation", — so as to read as follows: — *Section 3.* They shall annually elect a superintendent and a physician of each of said schools. The superintendent of each school shall, with the approval of the trustees, appoint the other officers.

Massachusetts training schools, superintendent and physician for each school.

G. L. 121, § 30, amended.

SECTION 91. Section thirty of chapter one hundred and twenty-one of the General Laws is hereby amended by striking out, in the first line, the words ", and, subject to the approval of the governor and council, may fix the salaries of", — so as to read as follows: — *Section 30.* The trustees may appoint all persons necessary for the proper administration of the affairs of the school, and may incur all expenses necessary for the maintenance thereof.

Massachusetts hospital school, appointment of officials and assistants.

G. L. 132, § 1, etc., amended.

SECTION 92. Section one of chapter one hundred and twenty-two of the General Laws, as amended by section one of chapter two hundred and fifty-nine of the acts of nineteen hundred and twenty-four, is hereby further amended by striking out, in the eleventh line, the words ", who shall fix the compensation in each case", — so that the fourth sentence will read as follows: — All other officers and employees

State infirmary, appointment of

shall be appointed by the superintendent, subject to the approval of the trustees. officers and employees.

Section 93. Section seven of chapter one hundred and twenty-three of the General Laws is hereby amended by inserting after the word "thereof" in the fifth line the words: — in accordance with the provisions of sections forty-five to fifty, inclusive, of chapter thirty, — so that the second sentence will read as follows: — It shall establish by-laws and regulations, with suitable penalties, for the government of said state hospitals, shall determine the salaries of the officers and employees thereof in accordance with the provisions of sections forty-five to fifty, inclusive, of chapter thirty, and shall provide for a monthly inspection and trial of fire apparatus belonging thereto, and for the proper organization and monthly drill of the officers and employees in use of the apparatus. G. L. 123, § 7, amended. Management of state hospitals by department of mental diseases.

Section 94. Section six of chapter one hundred and twenty-five of the General Laws is hereby amended by striking out the last sentence. G. L. 125, § 6, amended.

Section 95. Section thirty-eight of said chapter one hundred and twenty-five is hereby amended by inserting after the word "commissioner" in the second line the words: — in accordance with sections forty-five to fifty, inclusive, of chapter thirty, — so that the first sentence will read as follows: — The salaries of the officers and employees of the reformatory shall be fixed by the commissioner in accordance with sections forty-five to fifty, inclusive, of chapter thirty. G. L. 125, § 38, amended. Reformatory for women, salaries.

Section 96. Section forty of said chapter one hundred and twenty-five is hereby amended by striking out, in the first, second, third and fourth lines, the words "shall receive such salary as the commissioner determines. He shall fix the compensation of all other officers and employees thereof, with the approval of the commissioner. He", — so as to read as follows: — *Section 40.* The superintendent of the prison camp and hospital shall have the custody of all prisoners removed to the prison camp and hospital. G. L. 125, § 40, amended. Duties of superintendent of prison camp and hospital.

Section 97. Section forty-one C of said chapter one hundred and twenty-five, as appearing in section one of chapter two hundred and eighty-nine of the acts of nineteen hundred and twenty-seven, is hereby amended by striking out, in the second, third, fourth and fifth lines, the words "shall receive such salary as the commissioner shall determine. Such superintendent shall fix the compensation of all other officers and employees of said institution. He", — so as to read as follows: — *Section 41C.* The superintendent of said state prison colony shall have the care, custody and control of all prisoners removed to the state prison colony. G. L. 125, § 41C, amended. Duties of superintendent of state prison colony.

Section 98. Section forty-six of said chapter one hundred and twenty-five is hereby amended by striking out the last sentence. G. L. 125, § 46, amended.

Section 99. Section forty-eight of said chapter one hundred and twenty-five is hereby amended by striking out, in G. L. 125, § 48, amended.

Bridgewater state hospital, medical director.

the third and fourth lines, the words "and fix his salary", — so that the first sentence will read as follows: — The Bridgewater state hospital shall be part of the state farm, and the superintendent thereof shall, with the approval of the commissioner, appoint a physician as medical director.

G. L. 25, § 10, amended.

SECTION 100. Section ten of chapter twenty-five of the General Laws is hereby amended by striking out, in the third line, the words "and rank", — so as to read as follows: — *Section 10.* The commission may assign to all officers and employees appointed or employed under the three preceding sections such duties as it shall from time to time deem advisable, but all acts of such officers and employees shall be done under the supervision and control of, and subject to revision by, the commission.

Department of public utilities, control over officers and employees.

G. L. 30, § 46, etc., amended.

SECTION 101. Section forty-six of chapter thirty of the General Laws, as amended by section forty-nine of chapter three hundred and sixty-two of the acts of nineteen hundred and twenty-three, is hereby further amended by adding at the end thereof the following new sentence: — The word "salary" or "salaries", as used in sections forty-five to fifty, inclusive, shall include compensation, however payable.

Word "salary" or "salaries" to include compensation, etc.

G. L. 127, § 24, amended.

SECTION 102. Section twenty-four of chapter one hundred and twenty-seven of the General Laws is hereby amended by striking out, in the eighth and ninth lines, the words "and receive from the commonwealth such salary", — so that the last sentence will read as follows: — The commissioner may appoint an agent to assist him in receiving, recording and keeping the said photographs and identifying matter, who shall be subject to the direction of the commissioner and shall perform such duties as he shall determine.

Commissioner of correction may appoint an agent to assist in preservation of records of identification.

G. L. 127, § 30, amended.

SECTION 103. Section thirty of said chapter one hundred and twenty-seven is hereby amended by striking out, in the first line, the words "as provided in section twenty-four" and inserting in place thereof the words: — for compensation payable to an agent appointed under section twenty-four or designated under section four of chapter twenty-seven, — so as to read as follows: — *Section 30.* Except for compensation payable to an agent appointed under section twenty-four or designated under section four of chapter twenty-seven, no compensation shall be allowed to an officer for the performance of any services required by sections twenty-three to twenty-nine, inclusive, but he shall be reimbursed by the commonwealth for his actual traveling expenses incurred in the performance of any duties therein required.

No compensation to officers.

G. L. 217, § 33, etc., amended.

SECTION 104. Chapter two hundred and seventeen of the General Laws, as most recently amended in section thirty-three by section ninety of chapter three hundred and sixty-two of the acts of nineteen hundred and twenty-three, is hereby further amended by striking out said section thirty-three and inserting in place thereof the following: — *Section 33.* The registers for the several counties shall annually

Assistance for registers of probate and insolvency.

be allowed for assistance in their several counties, to be paid by the commonwealth, such sums as shall annually be appropriated by the general court. All employees in the various registries of probate shall be subject to the provisions of sections forty-five to fifty, inclusive, of chapter thirty.

Registers of probate to continue to be subject to budget requirements in G. L. 29, etc.

Section 105. The registers of probate for the several counties shall continue to be subject to the budget requirements in chapter twenty-nine of the General Laws, as heretofore. In the case of any clerical employees in the registries of probate for Middlesex and Suffolk counties whose salaries were assumed by the commonwealth under the provisions of section one of chapter forty-two of the acts of nineteen hundred and twenty-one, amending section thirty-three of chapter two hundred and seventeen of the General Laws, service rendered prior to such assumption shall be counted as part of a continuous service under the provisions of sections one to five, inclusive, of chapter thirty-two of the General Laws, but no such employee shall remain in the service of the commonwealth after reaching the age of seventy.

G. L. 217, § 35, etc., amended.

Section 106. Chapter two hundred and seventeen of the General Laws, as amended in section thirty-five by section two of chapter three hundred and eighty of the acts of nineteen hundred and twenty-six and by section two of chapter one hundred and ninety-eight of the acts of nineteen hundred and twenty-seven, is hereby further amended by striking out said section thirty-five and inserting in place thereof the following: — *Section 35.* The salaries of registers and all assistant registers shall be paid by the commonwealth.

Salaries of registers and assistant registers of probate and insolvency.

G. L. 217, § 38, etc., amended.

Section 107. Section thirty-eight of said chapter two hundred and seventeen, as amended by section five of chapter three hundred and eighty of the acts of nineteen hundred and twenty-six and by section two of chapter two hundred and nine of the acts of nineteen hundred and twenty-seven, is hereby further amended by striking out all after the word "dollars" in the third line, — so as to read as follows: — *Section 38.* In Suffolk county the salaries of the judges of probate shall be ninety-five hundred dollars.

Salaries of judges of probate in Suffolk county.

Approved May 12, 1931.

An Act relative to the erection by the town of Barnstable of a bath house on certain park land in said town. *Chap.* 302

Be it enacted, etc., as follows:

Town of Barnstable may erect a bath house on certain park land in said town.

The town of Barnstable may erect a new bath house, exceeding six hundred square feet in area on the ground, upon certain property owned by the town and used for park purposes, commonly known as the Craigville bathing beach, and may equip and maintain said bath house.

Approved May 12, 1931.

Chap. 303 AN ACT RELATIVE TO THE FURTHER REGULATION OF AIRCRAFT.

Be it enacted, etc., as follows:

G. L. 90, § 40, etc., amended.

SECTION 1. Section forty of chapter ninety of the General Laws, inserted by section one of chapter five hundred and thirty-four of the acts of nineteen hundred and twenty-two, and as amended by section one of chapter two hundred and forty-four of the acts of the current year, is hereby further amended by adding at the end thereof the words: — The fee for every subsequent examination shall be five dollars. The fee for every additional copy of a certificate of registration, license or permit to replace one that has been lost or mutilated shall be one dollar. The fee for every certified copy of an application, certificate of registration, license or permit shall be one dollar, — so as to read as follows: —

Pilot's license, expiration and application for renewal.

Section 40. A pilot's license shall expire one year from the date of its issue. Applications for renewal may be made before the date of expiration in such manner as the registrar directs.

Fees.

The fee for a license or for a renewal thereof shall be five dollars, except that the fee for a license limited to the operation of gliders shall be three dollars, and for a renewal thereof, two dollars. Each initial application for a license, except a license limited to the operation of gliders, shall also be accompanied by a fee of five dollars for examination. If the applicant is not licensed the license fee, but not the examination fee, shall be refunded. The fee for every subsequent examination shall be five dollars. The fee for every additional copy of a certificate of registration, license or permit to replace one that has been lost or mutilated shall be one dollar. The fee for every certified copy of an application, certificate of registration, license or permit shall be one dollar.

G. L. 90, § 41, etc., amended.

SECTION 2. Section forty-one of said chapter ninety, as so inserted, and as amended by section one of chapter one hundred and eighty-nine of the acts of nineteen hundred and twenty-five and by section five of chapter three hundred and eighty-eight of the acts of nineteen hundred and twenty-eight, is hereby further amended by striking out, in the eighth to the twelfth lines, inclusive, the words "for purposes of private flying only. A person holding a pilot's license so issued and authorizing him to engage in commercial flying may, subject to the terms and conditions of his license, engage in such flying within the commonwealth", — and by striking out, in the thirteenth line, the word "commercial", — so that the first paragraph will read as follows: —

License for operating aircraft not required of certain persons.

No such license shall be required of any aviator while flying in line of duty in the service of the United States or of this or another state thereof or of a foreign country. A person

In case of persons holding pilot's license issued by United States or another state thereof, etc.

holding any class of pilot's license issued after proper examination by authority of the United States or of another state thereof or of a foreign country may, without further license, operate aircraft within the commonwealth for not exceeding

ten days in any one calendar year. No such person shall engage in flying within the commonwealth for more than ten days in any calendar year without having previously filed with the registrar a statement in writing containing his name, his address in this commonwealth, the authority as aforesaid issuing his license, the number thereof, if any, and an appointment of the registrar and his successor in office to be his true and lawful attorney upon whom may be served all lawful processes in any action or proceeding against him growing out of any accident or collision in which he may be involved while operating within the commonwealth, and also containing his agreement that any lawful process against him which is served upon the registrar or his successor in office as such attorney shall be of the same legal force and validity as if served on him personally, and that the registrar and his successor in office shall continue to be his said attorney so long as any liability on account of such an accident or collision remains outstanding against him. Sections three A to three E, inclusive, shall apply to such service.

Certain persons engaged in flying for more than ten days in a calendar year to file certain statement with registrar.

Section 3. Section fifty-three of said chapter ninety, as so inserted, and as amended by section two of said chapter one hundred and eighty-nine and by section nine of said chapter three hundred and eighty-eight, is hereby further amended by striking out, in the fourth, fifth, seventh and eighth lines, the word "airplane" and inserting in place thereof, in each instance, the word: — aircraft, — so as to read as follows: — *Section 53.* No aircraft shall be used in the commonwealth for the purpose of giving a public exhibition in which any person attempts a transfer from one aircraft to another while in flight or between any aircraft in flight and any other vehicle or the ground, or in which any person leaves the cockpit of an aircraft to perform any feat of daring, or uses any part of an aircraft in a manner other than that intended by its designer; nor shall any pilot licensed or authorized in the commonwealth take part in such an exhibition. No person shall throw or drop any missile or other article from any aircraft in flight except over grounds temporarily or permanently reserved for such purpose or over open water. Nothing in this section shall be construed to prohibit the use of parachutes as a means of safe descent or the release of fine sand or liquid without containers by a lighter-than-air craft over thinly settled areas. *Approved May 12, 1931.*

G. L. 90, § 53, etc., amended.

Aircraft not to be used in commonwealth for certain exhibitions of feats of daring, etc.

Dropping of missiles regulated.

Use of parachutes permitted, and release of fine sand, etc., over certain areas.

An Act imposing a penalty for requiring or permitting women or children to work without monetary compensation in certain establishments. *Chap.* 304

Be it enacted, etc., as follows:

Chapter one hundred and forty-nine of the General Laws is hereby amended by inserting after section one hundred

G. L. 149, new section after § 158.

Penalty for requiring or permitting women or children to work without monetary compensation in certain establishments.

and fifty-eight the following new section: — *Section 158A.* Whoever requires or permits a woman or a minor, as a condition of securing employment, to work in any factory, workshop, manufacturing, mechanical or mercantile establishment without monetary compensation shall be punished by a fine of not more than fifty dollars.

Approved May 12, 1931.

Chap. 305

An Act relative to public administrators.

Be it enacted, etc., as follows:

G. L. 194, § 2, amended.

Public administrators to give bond with certain conditions.

Section 1. Chapter one hundred and ninety-four of the General Laws is hereby amended by striking out section two and inserting in place thereof the following: — *Section 2.* A public administrator shall give bond for the faithful administration of each estate on which letters of administration may be granted to him as such public administrator, with sufficient sureties, in such form as the probate court may order, payable to the judge of said court and his successors, with condition substantially as follows: —

First, To make and return to the probate court, within three months from the time of granting to him, as public administrator, letters of administration on the estate of the deceased, a true inventory of all the real and personal property of the deceased which at the time of making thereof shall have come to his possession or knowledge;

Second, To administer according to law all personal property of the deceased which may come into his possession or into the possession of any person for him, and also the proceeds of any of the real property of the deceased which may be sold or mortgaged by him;

Third, To render on oath a true account of his administration at least once a year until his trust is fulfilled, unless he is excused therefrom in any year by the court, and also to render such account at such other times as the court orders;

Fourth, To pay the balance of such estate remaining in his hands upon the settlement of his accounts to such persons as the court may direct; and, when such estate has been fully administered, to deposit with the state treasurer the whole amount remaining in his hands to which said treasurer may be entitled under the provisions of chapter one hundred and ninety-four of the General Laws;

Fifth, Upon the appointment and qualification of an executor or administrator as his successor, to surrender into the probate court said letters of administration, with an account on oath of his doings therein; and, upon a just settlement of such account, to pay over and deliver to such successor all money remaining in his hands, and all property, effects and credits of the deceased not then administered.

G. L. 194, § 3, repealed.

Section 2. Section three of said chapter one hundred and ninety-four is hereby repealed.

Section 3. Section sixteen of said chapter one hundred and ninety-four is hereby amended by adding at the end the following paragraph: — Each register of probate shall forthwith notify the proper district attorney and the attorney general of any breach of duty on the part of a public administrator in relation to any estate under his charge, of which such register has knowledge or which the records in his registry disclose.

G. L. 194, § 16, amended.

Notification of breach of duty on part of a public administrator.

Section 4. Section thirty-seven of chapter two hundred and fifteen of the General Laws is hereby amended by inserting after the word "court" in the eighth line the words: — , and a separate alphabetical index of all public administrators seeking appointment or appointed to administer any estates, with the names of such estates, — and by striking out, in the same line, the word "index" and inserting in place thereof the word: — indexes, — so as to read as follows: — *Section 37.* Each register shall keep a docket of all cases and matters in his court, and shall enter therein every case or matter by its appropriate title and number, brief memoranda of all proceedings had and papers filed therein, the dates of such proceedings or filing of such papers, and references to the places in which the proceedings or papers are recorded, if there is a record thereof. He shall also keep a separate alphabetical index of all such cases and matters which shall refer both to said docket and to the files of the court, and a separate alphabetical index of all public administrators seeking appointment or appointed to administer any estates, with the names of such estates. Such docket and indexes shall be open to public inspection at all reasonable times.

G. L. 215, § 37, amended.

Registers of probate to keep docket and index.

Separate index of public administrators.

Open to public inspection.

Section 5. Every public administrator who, upon the effective date of this act, is administering estates under a general bond may complete such administration under such bond, and all pertinent provisions of said chapter one hundred and ninety-four in force and applicable thereto immediately prior to such effective date shall continue to be so applicable, notwithstanding the provisions of this act.

Certain provisions in force and applicable immediately prior to effective date of act to continue to be so applicable, notwithstanding, etc.

Section 6. This act shall take effect on September first of the current year. *Approved May 12, 1931.*

Effective date.

An Act providing for the establishment of a right of way for public access to dunham pond in the town of carver. *Chap.* 306

Be it enacted, etc., as follows:

Section 1. The county commissioners of Plymouth county are hereby authorized and directed to lay out a right of way in the town of Carver from Tremont street to Dunham pond in said town for public access to said pond, in accordance with plans to be approved by the department of public works and showing the location and dimensions of such right of way. If it is necessary to acquire land for

Plymouth county commissioners may lay out a right of way for public access to Dunham pond in town of Carver.

the purpose of laying out such right of way the commissioners shall at the time such right of way is laid out take such land by eminent domain under chapter seventy-nine of the General Laws. Any person sustaining damages in his property by the laying out of such right of way, or by specific repairs or improvements thereon, shall be entitled to recover the same under said chapter seventy-nine; provided, that the right to damages, if any, shall vest upon the recording of an order of taking by the commissioners, and that no entry or possession for the purpose of constructing a public way on land so taken shall be required for the purpose of validating such taking or for the payment of damages by reason thereof.

Property damages, recovery.

Proviso.

Selectmen of town of Carver may make necessary repairs, etc.

SECTION 2. The selectmen of the town of Carver may from time to time make specific repairs on or improve such way to such extent as they may deem necessary, but neither the county of Plymouth nor any city or town therein shall be required to keep such right of way in repair, nor shall it be liable for injury sustained by persons traveling thereon; provided, that sufficient notice to warn the public is posted wherever such way enters upon or unites with an existing public way.

Proviso.

Expenses, by whom borne.

SECTION 3. All expenses incurred by the commissioners in connection with such right of way shall be borne by the county of Plymouth, or by such cities and towns therein, in such proportion as the commissioners may determine.

Right of way not to be discontinued, etc.

SECTION 4. Said right of way shall not be discontinued or abandoned without authority therefor from the general court.

Certain powers not limited.

SECTION 5. Nothing in this act shall be so construed as to limit the powers of the department of public health, or any local board of health under any general or special law.

Approved May 12, 1931.

Chap. 307 AN ACT ESTABLISHING A PART OF THE BOUNDARY LINE BETWEEN THE TOWNS OF WALPOLE AND FOXBOROUGH.

Be it enacted, etc., as follows:

Boundary line between towns of Walpole and Foxborough established.

SECTION 1. All the territory now within the town of Foxborough which lies north and west of a line beginning at a point where the present boundary line between the towns of Foxborough and Walpole intersects the easterly side of Washington street, thence southerly along the easterly side of said street six hundred and seventy-five feet to a point; thence westerly about twenty-two hundred and thirty-eight feet to a point in the present boundary line between the towns of Foxborough and Walpole south thirty-two degrees thirty-four minutes west and thirteen hundred and seventy-five feet distant from the present bound known as Foxborough-Walpole 1 standing at an angle in the wall on the southeasterly side of Summer street about three hundred and seventy feet northeast of its junction with Winter street, is

hereby set off and separated from the town of Foxborough and annexed to and made a part of the town of Walpole. The selectmen of the town of Walpole, at the expense of said town, shall erect all stone monuments required as the result of the reestablishment of said boundary line under this act.

Submission to voters of towns of Foxborough and Walpole, etc.

Section 2. This act shall take effect upon its acceptance by a majority of the voters of each of the towns of Foxborough and Walpole voting thereon at any special or annual town meeting. The vote in each town shall be taken in precincts by ballot in accordance with the provisions of the general laws, so far as the same shall be applicable, in answer to the following question which shall be placed upon the official ballot to be used at such meeting: — "Shall an act passed by the general court in the year nineteen hundred and thirty-one, entitled 'An Act establishing a part of the Boundary Line between the Towns of Walpole and Foxborough' be accepted?" *Approved May 12, 1931.*

An Act authorizing the department of education to offer correspondence courses, free of charge, to inmates of certain institutions. *Chap.* 308

Be it enacted, etc., as follows:

G. L. 69, § 7, etc., amended.

Section seven of chapter sixty-nine of the General Laws, as amended by chapter two hundred and sixty-six of the acts of nineteen hundred and twenty-five, is hereby further amended by inserting after the word "department" in the tenth line the following new sentence: — The department may offer correspondence courses, free of charge, to inmates of county and state hospitals and sanatoria, state correctional institutions, the state infirmary, and federal hospitals situated within the commonwealth, — so as to read as follows: — *Section 7.* The department may co-operate with existing institutions of learning in the establishment and conduct of university extension and correspondence courses; may supervise the administration of all such courses supported in whole or in part by the commonwealth; and also, where deemed advisable, may establish and conduct such courses for the benefit of residents of the commonwealth and, provided that the fees charged exceed the cost of service, may enroll in correspondence courses such non-residents as are approved by the department. The department may offer correspondence courses, free of charge, to inmates of county and state hospitals and sanatoria, state correctional institutions, the state infirmary, and federal hospitals situated within the commonwealth. It may, in accordance with rules and regulations established by it, grant to students satisfactorily completing such courses suitable certificates.

Department of education, university extension and correspondence courses.

May offer correspondence courses, free of charge, to inmates of certain institutions.

Approved May 12, 1931.

*Chap.*309 An Act authorizing the department of mental diseases to take or purchase property in the town of Wrentham for the Wrentham state school.

Be it enacted, etc., as follows:

Department of mental diseases may take or purchase property in town of Wrentham for Wrentham state school.

The department of mental diseases, on behalf of the commonwealth, may, with the approval of the governor and council, take by eminent domain under chapter seventy-nine of the General Laws, or acquire by purchase or otherwise, for the use of the Wrentham state school, land and buildings in the town of Wrentham adjoining the property of the said school. Paragraph (*i*) of section twenty-nine of chapter one hundred and twenty-three of the General Laws shall not apply to such taking or acquisition.

Approved May 12, 1931.

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*Chap.*310 An Act limiting the period during which interest shall be credited to the accounts of members of the teachers' retirement association who have left the service.

Be it enacted, etc., as follows:

G. L. 32, § 11, etc., amended.

Section eleven of chapter thirty-two of the General Laws, as most recently amended by chapter two hundred and twelve of the acts of nineteen hundred and twenty-six, is hereby further amended by adding at the end thereof the following: —

Period limited during which interest shall be credited to accounts of certain members of teachers' retirement association.

(6) Interest shall not be credited to any account in the annuity fund, while subject to withdrawal under this section, after the third annual compounding date following the time when such account became subject to withdrawal under paragraph (1). *Approved May 12, 1931.*

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*Chap.*311 An Act to provide for the construction and leasing by the commonwealth of a fish pier in Gloucester harbor.

Emergency preamble.

Whereas, The deferred operation of this act would, in part, defeat its purpose, therefore, it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

Department of public works may construct a fish pier in Gloucester harbor.

Section 1. For the purpose of improving and developing Gloucester harbor for the promotion of the fish industry and the commercial facilities of the city of Gloucester, the department of public works, hereinafter called the department, is hereby authorized to construct a pier in said harbor on the site known as Five Pound Island, to do all dredging necessary for the proper use of said pier, and to provide the necessary water and sewerage facilities therefor, and said construction may extend beyond existing harbor lines.

All contracts for work authorized by this section shall be subject to the approval of the governor and council. Approval of contracts.

Section 2. The city of Gloucester may take by eminent domain under chapter seventy-nine of the General Laws, or acquire by purchase or otherwise, said Five Pound Island and such piers, wharves, buildings, lands, flats, rights, privileges and easements within the territory proposed to be improved and developed under this act as may be necessary for the purposes thereof, excepting any now owned by the commonwealth, and may transfer the same, or such part thereof as the department shall require for said purposes, to the commonwealth, without cost to it, and the property so transferred shall be used for the aforesaid purposes. City of Gloucester may take or acquire Five Pound Island, and certain piers, buildings, etc., and transfer same to state, etc.

Section 3. No work authorized by section one shall be done unless, prior to June first, nineteen hundred and thirty-two, the city of Gloucester shall effect the transfer to the commonwealth of property authorized by the preceding section and shall agree to construct at its own expense a road suitable for heavy trucking and extending from East Main street over Parker street in said city to the site of the proposed pier, nor unless, prior to June first, nineteen hundred and thirty-two, a corporation incorporated under the laws of this commonwealth, hereinafter called the lessee, shall agree to erect on said pier buildings of fire proof construction and of a valuation of not less than three hundred thousand dollars and shall execute a lease of said pier for a term beginning on the date of the completion by the department of the work authorized by section one and ending September thirtieth, nineteen hundred and forty-three. Said lease shall provide that the lessee shall pay to the commonwealth a rental at the rate of twenty-five thousand dollars per annum, and shall be subject to such provisions and conditions as may be agreed upon by the department and the lessee. No work to be done unless prior to June 1, 1932, city of Gloucester effects transfer of certain property and agrees to construct certain road, etc. Corporation to agree to erect on pier buildings and to execute a lease, etc. Lessee to pay rental to state, etc.

Section 4. At the termination of said lease it may, at the option of the lessee, be renewed for a further period of twenty years, at such rental, not less than thirty thousand dollars per annum, as may be agreed upon by the department and the lessee, or in case of failure to so agree, as may be determined by three arbitrators, one to be named by the department, one by the lessee and the two thus chosen to select a third. At the termination of such renewed lease, it may, at the option of the lessee, be again renewed and for such term of years and upon such terms and conditions as may be agreed upon by the department and the lessee, or in case of failure to so agree, as may be determined by three arbitrators appointed as aforesaid. Should the lessee fail to carry out the terms of said lease, or any renewal thereof, or elect not to renew the lease as aforesaid, the buildings required by this act to be constructed on said pier by the lessee shall become the property of the commonwealth. Renewal of lease upon termination, etc. Buildings to become property of state, if, etc.

Section 5. To meet the expenditures necessary in carrying out the provisions of section one, the state treasurer State treasurer to issue bonds.

shall upon request of the department issue and sell, at public or private sale, bonds of the commonwealth, registered or with interest coupons attached, as he may deem best, to an amount, to be specified from time to time by the department, but not in excess of six hundred and sixty thousand dollars in the aggregate. All such bonds shall be designated on their face, Gloucester Pier Loan, and shall be on the serial payment plan for such maximum term of years as the governor may recommend to the general court in accordance with section three of Article LXII of the amendments to the constitution of the commonwealth, the maturities thereof to be so arranged that the amount payable each year, other than the final year shall, as nearly as is in the opinion of the state treasurer practicable, be equal. Said bonds shall bear interest payable semi-annually at such rate as the state treasurer, with the approval of the governor and council, shall fix.

Section 6. This act shall take effect upon its passage.

Approved May 13, 1931.

Chap. 312 An Act relocating certain harbor lines around the "cow pasture", so-called, in Boston harbor.

Be it enacted, etc., as follows:

Certain harbor lines around the "Cow Pasture", so-called, in Boston harbor, changed and established.

Section 1. The harbor lines in Old Harbor and Dorchester bay around the "Cow Pasture", so-called, in Boston harbor are hereby changed and established as follows:

The location of each of the angles in the lines hereinafter described is fixed by a distance hereinafter called longitude in feet from a meridian passing through the center of the apex of the dome of the state house in Boston, and by a distance hereinafter called latitude in feet, from a line at right angles to said meridian and passing through the said center of the apex of the state house dome, and the bearings refer to the true meridian passing through the center of said apex.

Beginning at point D in the harbor line established by chapter two hundred and ninety-three of the acts of eighteen hundred and fifty-six in latitude eleven thousand thirty-five and ninety-eight hundredths feet south and longitude eight thousand two hundred ninety and seventy-nine hundredths feet east, thence south eighty-eight degrees thirty-six minutes fifteen seconds west, true bearing, two thousand five hundred fifty feet to point D′ in latitude eleven thousand ninety-eight and eight hundredths feet south and longitude five thousand seven hundred forty-one and fifty-four hundredths feet east, thence south one degree twenty-three minutes forty-five seconds east, true bearing, one thousand two hundred seventy-five feet to point E′ in latitude twelve thousand three hundred seventy-two and seven tenths feet south and longitude five thousand seven hundred seventy-two and six tenths feet east, thence south sixty-six degrees

twenty-three minutes forty-five seconds east, true bearing, six thousand fifty feet to point F′ in latitude fourteen thousand seven hundred ninety-five and two tenths feet south and longitude eleven thousand three hundred sixteen and forty-two hundredths feet east, thence south fifty-two degrees, twenty-three minutes ten seconds west, true bearing, seven thousand three hundred ninety-two and three tenths feet to point G′ in latitude nineteen thousand three hundred seven and two hundredths feet south and longitude five thousand four hundred sixty and sixty-four hundredths feet east, thence north seventy-three degrees forty-five minutes thirty seconds west, true bearing, four hundred feet to point I^2, in latitude nineteen thousand one hundred ninety-five and fourteen hundredths feet south and longitude five thousand seventy-six and six tenths feet east, said point I^2 being the second point described in harbor line established by chapter three hundred and fifty-one of the acts of eighteen hundred and seventy-two.

Such portions of section four of chapter two hundred and ninety-three of the acts of eighteen hundred and fifty-six and chapter three hundred and fifty-one of the acts of eighteen hundred and seventy-two as define the line from point D to point I^2 are hereby repealed. Certain portions of 1856, 293, § 4, and 1872, 351, repealed.

Section 2. This act shall take effect upon its passage.

Approved May 13, 1931.

An Act relative to the liability of officers and directors of business corporations based on certain false statements or reports filed with the commissioner of corporations and taxation, and to the form of the annual report of condition of such corporations. *Chap.* 313

Be it enacted, etc., as follows:

Section 1. Chapter one hundred and fifty-six of the General Laws is hereby amended by striking out section thirty-six and inserting in place thereof the following: — G. L. 156, § 36, amended.

Section 36. The president, treasurer and directors of every corporation shall be jointly and severally liable for all the debts and contracts of the corporation contracted or entered into while they are officers thereof if any stock is issued in violation of section fifteen or sixteen, or if any statement or report required by this chapter is made by them which is false in any material representation and which they know to be false; but directors who vote against such issue, and are recorded as so voting, shall not be so liable, and only the officers signing such statement or report shall be so liable; provided, that if a report of condition as a whole states the condition of the corporation with substantial accuracy, in accordance with usual methods of keeping accounts, it shall not be deemed to be false; and provided, also, that the officers or directors signing a false report of condition shall Liability of officers and directors of business corporations based on certain false statements or reports filed with commissioner of corporations and taxation. Provisos.

be liable only for debts contracted and contracts entered into before the filing of the next subsequent report of condition, and only to persons who shall have relied upon such false report to their damage.

G. L. 156, § 47, par. 6, amended.

Section 2. Section forty-seven of said chapter one hundred and fifty-six is hereby amended by striking out the paragraph numbered 6 and the schedule appended thereto and inserting in place thereof the following: —

Form of annual report of condition.

6. A statement of the assets and liabilities of the corporation as of the date of the end of its last fiscal year, to be made in such form as the commissioner shall prescribe.

Approved May 13, 1931.

Chap. 314 An Act establishing a standard form of representative town meeting government.

Be it enacted, etc., as follows:

G. L., new chapter after chapter 43.

The General Laws are hereby amended by inserting after chapter forty-three, under the title, "STANDARD FORM OF REPRESENTATIVE TOWN MEETING GOVERNMENT", the following new chapter: —

Chapter 43A.

STANDARD FORM OF REPRESENTATIVE TOWN MEETING GOVERNMENT.

GENERAL PROVISIONS.

Adoption of standard form of representative town meeting government by certain towns.

Section 1. Any town in which there has been constituted and established a form of representative town meeting government under a special statute, enacted in conformity with the provisions of the constitution of the commonwealth, may in substitution therefor adopt the standard form of representative town meeting government provided by sections three to twelve, inclusive.

Petition for submission to voters of matter of acceptance of standard form of representative town meeting government.

Question, how stated upon ballot.

Section 2. Five per cent of the registered voters of any such town may, not less than ninety days before its annual town meeting, file with the selectmen a petition that there be submitted to the voters of the town the matter of the acceptance of such standard form of representative town meeting government. The selectmen shall thereupon direct the town clerk to cause to be printed on the official ballot used for the election of town officers at such meeting substantially the following question: Shall the town adopt the standard form of representative town meeting government provided by chapter forty-three A of the General Laws? If a majority of the votes cast thereon are in the affirmative such standard form shall thereupon become effective in such town, and the acceptance by the town of the special statute under which it was theretofore governed shall be deemed to be revoked by such vote; provided, that the town meeting

YES. ☐
NO. ☐

Acceptance by town of special statute to be deemed revoked, if, etc.

Proviso.

members elected at such election or in office under the provisions of such special statute shall, except as otherwise provided therein, remain in office until the next annual town election.

STANDARD FORM.

Section 3. Upon the adoption as aforesaid of such standard form of representative town meeting government by a town, its selectmen shall forthwith divide the territory thereof into voting precincts, each of which shall be plainly designated and shall contain not less than four hundred registered voters. The precincts shall be so established as to consist of compact and contiguous territory to be bounded, as far as possible, by the center line of known streets and ways or by other well-defined limits. Their boundaries shall be reviewed, and, if need be, wholly or partly revised, by the selectmen in December, once in five years, or in December of any year when so directed by a vote of a representative town meeting held not later than November twentieth of that year. Division of town into voting precincts upon adoption of standard form of representative town meeting government, etc.

The selectmen shall, within ten days after any establishment or revision of the precincts, file a report of their doings with the town clerk, the registrars of voters and the assessors, with a map or maps or description of the precincts and the names and residences of the registered voters therein. The selectmen shall also cause to be posted in the town hall a map or maps or description of the precincts as established or revised from time to time, with the names and residences of the registered voters therein; and they shall also cause to be posted in at least one public place in each precinct a map or description of that precinct, with the names and residences of the registered voters therein. The division of the town into voting precincts and any revision of such precincts shall take effect upon the date of the filing of the report thereof by the selectmen with the town clerk. Whenever the precincts are established or revised, the town clerk shall forthwith give written notice thereof to the state secretary, stating the number and designation of the precincts. Meetings of the registered voters of the several precincts for elections, for primaries, and for voting upon any question to be submitted to all the registered voters of the town, shall be held on the same day and at the same hour and at such place or places within the town as the selectmen shall in the warrant for such meeting direct. The provisions of chapters fifty to fifty-six, inclusive, relating to precinct voting at elections, so far as the same are not inconsistent with this chapter, shall apply to all elections and primaries in the town upon the establishment of voting precincts as hereinbefore provided. Selectmen to file report of doings with town clerk, etc. Division into voting precincts, effective date. Town clerk to give written notice to state secretary, etc. Meetings of voters, when and where to be held. Certain provisions to apply, etc.

Section 4. Other than the officers designated in the by-laws of the town as town meeting members at large, the representative town meeting membership shall in each precinct consist of the largest number divisible by three Representative town meeting membership, number, etc.

which will admit of a representation thereof in the approximate proportion which the number of registered voters therein bears to the total number of registered voters in the town, and which will cause the total membership to be as nearly two hundred and forty as may be.

Town meeting members, election, terms, etc.

The registered voters in every precinct shall, at the first annual town election held after the establishment of such precinct, and the registered voters of any precinct affected by any revision of precincts at the first annual town election following such revision, conformably to the laws relative to elections not inconsistent with this chapter, elect by ballot the number of registered voters in the precinct, other than the officers designated in the by-laws as town meeting members at large, provided for in the first sentence of this section, to be town meeting members of the town. The first third, in the order of votes received, of members so elected shall serve three years, the second third in such order shall serve two years, and the remaining third in such order shall serve one year, from the day of the annual town meeting; in case of a tie vote affecting the division into thirds, as aforesaid, the members elected from the precinct shall by ballot determine the same; and thereafter, except as is otherwise provided herein, at each annual town election the registered voters of each precinct shall, in like manner, elect, for the term of three years, one third of the number of elected town meeting members to which such precinct is entitled, and shall at such election fill for the unexpired term or terms any vacancy or vacancies then existing in the number of elected town meeting members in such precinct.

When terms of office of certain elected town meeting members shall cease.

The terms of office of all elected town meeting members from every precinct revised as aforesaid shall cease upon the election as hereinbefore provided of their successors.

Notice to members elected.

The town clerk shall, after every election of town meeting members, forthwith notify each such member by mail of his election.

Town meetings limited to elected town meeting members and certain designated town meeting members at large.

Section 5. Any representative town meeting held under the provisions of this chapter, except as otherwise provided herein, shall be limited to the town meeting members elected under section four, together with such town meeting members at large as may be provided for by the by-laws of the town.

Notice of town meetings.

The town clerk shall notify the town meeting members of the time and place at which representative town meetings are to be held, the notices to be sent by mail at least seven days before the meeting.

Town meeting members to be judges of election of members.

The town meeting members, as aforesaid, shall be the judges of the election and qualifications of their members.

Quorum.

A majority of the town meeting members shall constitute a quorum for doing business; but a less number may organize temporarily and may adjourn from time to time, but no town meeting shall adjourn over the date of an election of town meeting members.

Meetings public.

All town meetings shall be public.

No compensation.

The town meeting members as such shall receive no compensation. Subject to such condi-

tions as may be determined from time to time by the members of the representative town meeting, any registered voter of the town who is not a town meeting member may speak at any representative town meeting, but shall not vote. A town meeting member may resign by filing a written resignation with the town clerk, and such resignation shall take effect on the date of such filing. A town meeting member who removes from the town shall cease to be a town meeting member, and a town meeting member who removes from the precinct from which he was elected to another precinct may serve only until the next annual town meeting.

Resignations.

Removal from town or precinct, effect.

Section 6. Nomination of candidates for town meeting members to be elected under this chapter shall be made by nomination papers, which shall bear no political designation, shall be signed by not less than ten voters of the precinct in which the candidate resides, and shall be filed with the town clerk at least ten days before the election; provided, that any town meeting member may become a candidate for re-election by giving written notice thereof to the town clerk at least thirty days before the election. No nomination papers shall be valid in respect to any candidate whose written acceptance is not thereon or attached thereto when filed.

Nomination of candidates for town meeting members, how made.

Proviso.

Section 7. The articles in the warrant for every town meeting, so far as they relate to the election of the moderator, town officers and town meeting members, and as herein provided, to referenda, and all matters to be acted upon and determined by ballot, shall be so acted upon and determined by the registered voters of the town in their respective precincts. All other articles in the warrant for any town meeting shall be acted upon and determined exclusively by town meeting members at a meeting to be held at such time and place as shall be set forth by the selectmen in the warrant for the meeting, subject to the referendum provided for by section ten.

Warrant articles, how acted upon, etc.

Section 8. A moderator shall be elected by ballot at each annual town meeting, and shall serve as moderator of all town meetings, except as otherwise provided by law, until a successor is elected and qualified. Nominations for and election of a moderator shall be as in the case of other elective town officers, and any vacancy in the office may be filled by the town meeting members at a meeting held for that purpose. If a moderator is absent, a moderator pro tempore may be elected by the town meeting members.

Moderator, election, etc.

Moderator pro tempore.

Section 9. Any vacancy in the full number of town meeting members from any precinct, whether arising from a failure of the registered voters thereof to elect, or from any other cause, may be filled, until the next annual election, by the remaining members of the precinct from among the registered voters thereof. Upon petition therefor, signed by not less than ten town meeting members from the precinct, notice of any vacancy shall promptly be given by the town clerk to the remaining members from the precinct in

Vacancies in full number of town meeting members, filling, etc.

Notice of vacancy.

Calling of special meeting.

which the vacancy or vacancies exist, and he shall call a special meeting of such members for the purpose of filling such vacancy or vacancies. He shall cause to be mailed to every such member, not less than five days before the time set for the meeting, a notice specifying the object, time and place of the meeting. At the said meeting a majority of the members from such precinct shall constitute a quorum, and they shall elect from their own number a chairman and a clerk. The choice to fill any vacancy shall be by ballot, and a majority of the votes cast shall be required for a choice. The chairman and clerk shall count the ballots and shall make a certificate of the choice and forthwith file the same with the town clerk, together with a written acceptance by the member or members so chosen, who shall thereupon be deemed elected and qualified as a town meeting member or members, subject to the right of all the town meeting members to judge of the election and qualifications of the members as set forth in section five.

Choice by ballot.

Certificate of choice, etc.

Votes, when operative, etc.

Section 10. A vote passed at any representative town meeting authorizing the expenditure of twenty thousand dollars or more as a special appropriation, or establishing a new board or office or abolishing an old board or office or merging two or more boards or offices, or fixing the term of office of town officers, where such term is optional, or increasing or reducing the number of members of a board, or adopting a new by-law, or amending an existing by-law, shall not be operative until after the expiration of five days, exclusive of Sundays and holidays, from the dissolution of the meeting. If, within said five days, a petition, signed by not less than three per cent of the registered voters of the town, containing their names and addresses as they appear on the list of registered voters, is filed with the selectmen asking that the question or questions involved in such a vote be submitted to the registered voters of the town at large, then the selectmen, after the expiration of five days, shall forthwith call a special meeting for the sole purpose of presenting to the registered voters at large the question or questions so involved. The polls shall be opened at two o'clock in the afternoon and shall be closed not earlier than eight o'clock in the evening, and all votes upon any questions so submitted shall be taken by ballot, and the check list shall be used in the several precinct meetings in the same manner as in the election of town officers. The questions so submitted shall be determined by a majority vote of the registered voters of the town voting thereon, but no action of the representative town meeting shall be reversed unless at least twenty per cent of the registered voters shall so vote. Each question so submitted shall be in the form of the following question, which shall be placed upon the official ballot: — "Shall the town vote to approve the action of the representative town meeting whereby it was voted (brief description of the substance of the vote)?" If such petition is not filed within said period of five days, the vote of the representative town

Referendum.

Questions, how determined, etc.

Question, how stated upon ballot, etc.

Votes operative if no petition, etc.

meeting shall become operative and effective upon the expiration of said period.

Powers of town and its town meeting members, etc.

Section 11. The town, after the acceptance of this chapter, shall continue to have the capacity to act through and to be bound by its town meeting members, who shall, when convened from time to time as herein provided, constitute representative town meetings; and the representative town meetings shall exercise exclusively, so far as will conform to the provisions of this chapter, all powers vested in the municipal corporation. Action in conformity with all provisions of law now or hereafter applicable to the transaction of town affairs in town meeting, shall, when taken by any representative town meeting in accordance with the provisions of this chapter, have the same force and effect as if such action had been taken in a town meeting open to all the voters of the town as organized and conducted before the establishment in said town of representative town meeting government.

Certain rights not abridged, etc.

Section 12. This chapter shall not abridge the right of the inhabitants of the town to hold general meetings, as secured to them by the constitution of this commonwealth; nor shall this chapter confer upon any representative town meeting in any town the power finally to commit the town to any measure affecting its municipal existence or substantially changing its form of government without action thereon by the voters of the town at large, using the ballot and the check list therefor. *Approved May 13, 1931.*

An Act providing for the continuance of the work of the Cape Cod Mosquito Control Project. *Chap.* 315

Be it enacted, etc., as follows:

1930, 379, § 1, amended.

Section 1. Chapter three hundred and seventy-nine of the acts of nineteen hundred and thirty is hereby amended by striking out section one and inserting in place thereof the following: — *Section 1.* The area included in the towns comprising the county of Barnstable is hereby constituted a mosquito control project under section five A of chapter two hundred and fifty-two of the General Laws, inserted therein by section three of chapter two hundred and eighty-eight of the acts of nineteen hundred and twenty-nine, to the same extent as if so constituted by the state reclamation board acting under said section five A, and the improvements herein authorized shall be undertaken under the identifying name of the Cape Cod Mosquito Control Project.

Cape Cod Mosquito Control Project established in towns of Barnstable county.

Expenditures from state treasury.

Beginning with the year nineteen hundred and thirty-one, to meet the expenses incurred under this act, there shall annually be expended from the state treasury, subject to appropriation, sums equal, in the aggregate, to twenty-five cents on each one thousand dollars of the taxable valuations of all such towns, and the sums so expended shall be assessed by the state treasurer on said towns in proportion to their said valuations as additions to their respective quotas of the

Assessment upon towns.

Proviso.

state tax next to be assessed; provided, that any such town may in any year anticipate in whole or in part its assessment, and appropriate, raise and deposit the amount thereof with the state treasurer, and any sum so deposited shall be credited against such assessment. There may also be expended for the purposes of this act voluntary contributions for such purposes deposited in the state treasury.

1930, 379, § 2, amended.

To be expended under direction of state reclamation board.

Section 2. Said chapter three hundred and seventy-nine is hereby further amended by striking out section two and inserting in place thereof the following: — *Section 2.* The funds appropriated and deposited as aforesaid shall be expended for the construction of mosquito control works, and for the maintenance thereof, under the direction and supervision of the state reclamation board in accordance with such known methods as in its opinion will effect the greatest measure of relief. *Approved May 13, 1931.*

Chap. 316 An Act continuing and extending the existing preference in the classified labor service to persons with dependents.

Emergency preamble.

Whereas, The deferred operation of this act would tend to defeat its purpose, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

Existing preference in classified labor service to persons with dependents continued and extended.

Until May fifteenth in the year nineteen hundred and thirty-two, the commissioner of civil service, on receipt of a requisition from the head of any department, board or commission of the commonwealth or of a city or town for temporary laborers in the classified labor service, shall, in certifying eligible applicants for positions in said service, give preference to persons so eligible who have one or more persons dependent upon them for support; provided, that in giving such preference veterans having such dependents shall be preferred over other persons so eligible for employment and having such dependents. Employment under this act shall not be continued beyond the period named in the requisition, which period shall not exceed three months. No re-employment or further employment shall be allowed at the end of such period, except by consent of the commissioner. *Approved May 14, 1931.*

Proviso.

Chap. 317 An Act relative to the use and disposition by the town of Milton of certain trust funds.

Be it enacted, etc., as follows:

Use and disposition by town of Milton of certain trust funds.

Section 1. The town of Milton may dispose of and use the funds and property received by said town under the will of Edwin D. Wadsworth, heretofore administered under the provisions of chapter three hundred and five of the

Special Acts of nineteen hundred and seventeen for the purposes named therein, for such other purposes, in such manner and upon such terms and conditions as may be authorized by the decree of a court of competent jurisdiction upon a bill in equity for instructions or other appropriate proceeding brought by said town. The provisions of said chapter three hundred and five shall continue in full force and effect except as modified by the provisions of this act or by proceedings authorized hereunder.

Section 2. This act shall take effect upon its passage.

Approved May 14, 1931.

An Act authorizing the town of Saugus to pay a sum of money to the Chahpahwee Camp Fire Girls. *Chap.* 318

Be it enacted, etc., as follows:

Town of Saugus may pay a sum of money to Chahpahwee Camp Fire Girls.

Section 1. For the purpose of discharging a moral obligation, the town of Saugus may pay to the organization known as the Chahpahwee Camp Fire Girls a sum not exceeding fifteen hundred dollars, to reimburse said organization for the amount expended by it for the purchase of a heating plant and the installation thereof in the old town hall during the time said hall was occupied by said organization under a lease from said town.

Section 2. This act shall take effect upon its passage.

Approved May 14, 1931.

An Act giving preference to certain former employees in the labor service of the city of Cambridge for re-employment therein. *Chap.* 319

Be it enacted, etc., as follows:

Preference for re-employment to be given certain former employees in the labor service of the city of Cambridge.

Jeremiah Dailey, Alfred Bates, Reuben T. V. Westcott, Joseph O'Keefe, Jeremiah Collins, Patrick Canney, Daniel J. O'Flaherty, John White, Eugene McCarthy, James J. Barry, Dennis Doyle, John T. Bradley, Walter Selfridge, Michael J. Sweet, Daniel J. Clifford, James O'Brien, Timothy O'Connor, Thomas Fahey, Thomas Corcoran, James Fitzgerald, Thomas Scully, John White, John O'Rourke and Frank Dowling, former employees in the labor service of the city of Cambridge, who were removed therefrom in the year nineteen hundred and twenty-eight by order of the division of civil service, by reason of the fact that certain classification requirements under the civil service law were not complied with, shall, if duly registered as applicants for employment in the labor service of said city, be given preference for re-employment therein. *Approved May 14, 1931.*

*Chap.*320 An Act reviving the Plymouth Mills for the purpose of conveying certain real estate and distributing the proceeds thereof.

Be it enacted, etc., as follows:

Plymouth Mills revived for purpose of conveying certain real estate and distributing proceeds thereof.

Section 1. The Plymouth Mills, a corporation dissolved by chapter two hundred and fifty-five of the acts of nineteen hundred and twenty-seven, is hereby revived and continued for a period of two years from the effective date of this act for the sole purpose of selling and conveying title to a certain tract of land with the building thereon situated in the town of Plymouth and for the purpose of distributing the proceeds of said sale among its creditors and stockholders entitled thereto.

Section 2. This act shall take effect upon its passage.

Approved May 16, 1931.

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*Chap.*321 An Act authorizing the placing on the ballot of certain descriptive words against the name of a candidate for re-election as town meeting member in the town of Brookline.

Be it enacted, etc., as follows:

1921, 36, § 4, amended.

Placing on ballot of certain descriptive words against name of certain candidates for re-election in town of Brookline, authorized.

Section four of chapter thirty-six of the acts of nineteen hundred and twenty-one is hereby amended by adding at the end thereof the following new sentence: — If a town meeting member is a candidate for re-election, the words "Candidate for Re-Election" shall be printed against his name as it appears on the ballot for the election of town officers.

Approved May 16, 1931.

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*Chap.*322 An Act authorizing the General Electric Company to maintain a bridge over Federal street in the city of Lynn.

Be it enacted, etc., as follows:

Lynn city council may issue permit to the General Electric Company to build and maintain a bridge over Federal street, etc.

Section 1. Upon petition and after seven days' notice inserted in at least two newspapers published in the city of Lynn, and a public hearing thereon, the city council of said city may, by a two thirds vote, with the approval of the mayor, issue a permit to the General Electric Company, a corporation having a regular place of business in Lynn, its successors and assigns, to build and maintain a bridge over Federal street in said city, at a point where said corporation owns the land in fee on opposite sides of the said street and also the fee in that part of the street to be covered by said bridge, for the purpose of connecting the buildings owned and occupied by said corporation on said opposite sides of the said street, upon condition of such ownership and upon such further conditions and subject to such restrictions as the said council may prescribe.

Restrictions as to height, width, etc.

Section 2. Any bridge built under a permit granted as aforesaid shall be constructed and maintained at a height

not less than nineteen feet above the grade line of the street, and shall not be more than ten feet in width, and no part of said bridge or its support shall rest on the surface of the street.

Liability for bodily injury or damage to property.

Section 3. If a traveler on the highway while in the exercise of due care sustains bodily injury or damage in his property by reason of the construction or maintenance of said bridge, he may recover damages therefor in an action of tort brought in the superior court against said General Electric Company, or its successors or assigns, within one year after the date of such injury or damage; provided, that such notice of the time, place and cause of the said injury or damage be given to said General Electric Company, or its successors or assigns, by, or on behalf of, the person sustaining the same as is, under the provisions of chapter eighty-four of the General Laws, valid and sufficient in cases of injury or damages sustained by reason of a defect or a want of repair in or upon a way, if such defect or want of repair is caused by or consists in part of snow or ice, or both. The remedy herein provided shall not be exclusive, but shall be in addition to any other remedy provided by law.

Proviso.

Remedy not exclusive.

Unconstitutionality of any part of act not to affect validity of remaining provisions, etc.

Section 4. If any part or section of this act be declared unconstitutional, the validity of its remaining provisions shall not be affected thereby.

Submission to city council, etc.

Section 5. This act shall take effect upon its acceptance during the current year by vote of the city council of said city, subject to the provisions of its charter.

Approved May 16, 1931.

An Act regulating the taking of fish in certain waters in Cape Cod bay. *Chap.* 323

Be it enacted, etc., as follows:

Taking of fish in certain waters in Cape Cod bay regulated.

Section 1. No person shall take fish by dragging or by otter trawling, between May first and October thirty-first, both dates inclusive, in any year, in the waters in Cape Cod bay lying southerly of a line drawn from Race Point light to Gurnet light. Violation of this act shall be punished by a fine of not less than twenty nor more than fifty dollars.

1930, 41, repealed.

Section 2. Chapter forty-one of the acts of nineteen hundred and thirty is hereby repealed.

Approved May 16, 1931.

An Act further defining the duties of the commissioner of state aid and pensions and establishing the office of second deputy commissioner of state aid and pensions. *Chap.* 324

Be it enacted, etc., as follows:

G. L. 6, § 22, etc., amended.

Section 1. Chapter six of the General Laws, as amended in section twenty-two by section one of chapter three hundred and sixty-eight of the acts of nineteen hundred and

twenty-three, is hereby further amended by striking out said section twenty-two and inserting in place thereof the following: — *Section 22.* There shall be an officer to be known as the commissioner of state aid and pensions, who shall be appointed by the governor, with the advice and consent of the council, for three years, at such salary, not exceeding five thousand dollars, as the governor and council shall determine. He shall devote his whole time to the duties of his office. He shall be state agent for the settlement of pension, bounty, back pay, compensation and other claims of citizens of the commonwealth against the government of the United States, or of any state thereof, on account of military or naval service, and he shall assist and advise war veterans, and their dependents, heirs or legal representatives, with respect to the filing, prosecution and settlement of such claims.

Commissioner of state aid and pensions, appointment, salary, duties, etc.

G. L. 6, § 24, etc., amended.

SECTION 2. Said chapter six, as amended in section twenty-four by chapter one hundred and ninety-four of the acts of nineteen hundred and twenty-nine, is hereby further amended by striking out said section and inserting in place thereof the following: — *Section 24.* The governor, with the advice and consent of the council, shall appoint a deputy and a second deputy commissioner of state aid and pensions for three years, who shall devote their whole time to the duties of their offices. They shall receive such salaries as may be fixed by the commissioner of state aid and pensions, subject to the approval of the governor and council, and shall be subject to the direction and control of said commissioner. The deputy commissioner, or in case of a vacancy in his office or in his absence or disability the second deputy commissioner, shall perform the duties of said commissioner during his absence on account of disability or other cause.

Deputy and second deputy commissioner of state aid and pensions, salaries, etc.

Approved May 16, 1931.

Chap. 325 AN ACT AUTHORIZING REPORTS TO THE APPELLATE DIVISIONS OF DISTRICT COURTS AT THE INSTANCE OF THE JUSTICES THEREOF.

Be it enacted, etc., as follows:

G. L. 231, § 108, amended.

SECTION 1. Section one hundred and eight of chapter two hundred and thirty-one of the General Laws is hereby amended by inserting after the word "costs" in the twenty-second line the following: — A single justice may, after decision thereon, report for determination by the appellate division any case in which there is an agreed statement of facts or a finding of the facts or any other case involving questions of law only. If a single justice is of opinion that an interlocutory finding or order made by him ought to be reviewed by the appellate division before any further proceedings in the trial court, he may report the case for that purpose and stay all further proceedings except such as are necessary to preserve the rights of the parties, — and also by inserting after the word "resignation" in the twenty-

sixth line the following: —, for the reporting of cases reserved for report when a single justice shall fail to report the same by reason of physical or mental disability, death or resignation, — so as to read as follows: — *Section 108.* There shall be an appellate division of said municipal court for the rehearing of matters of law arising in civil causes therein, the said division to consist of three justices thereof, to be designated from time to time by the chief justice. Any party to a cause brought in said court after August thirty-first, nineteen hundred and twelve, aggrieved by any ruling on a matter of law by a single justice, may, as of right, have the ruling reported for determination by the appellate division when the cause is otherwise ripe for judgment, or sooner by consent of the justice hearing the same. The request for such a report shall be filed with the clerk within two days after notice of the ruling, and when the objection is to the admission or exclusion of evidence, the claim for a report shall also be made known at the time of the ruling. The justice whose ruling is complained of shall not sit upon the review thereof. If the appellate division shall decide that there has been prejudicial error in the ruling complained of, it may reverse, vacate or modify the same or order a new trial in whole or part; otherwise it shall dismiss the report, and may impose double costs in the action if it finds the objection to such ruling to be frivolous or intended for delay. If the party claiming such report shall not duly prosecute the same, by preparing the necessary papers or otherwise, the appellate division may order the cause to proceed as though no such claim had been made, and may in like manner impose costs. A single justice may, after decision thereon, report for determination by the appellate division any case in which there is an agreed statement of facts or a finding of the facts or any other case involving questions of law only. If a single justice is of opinion that an interlocutory finding or order made by him ought to be reviewed by the appellate division before any further proceedings in the trial court, he may report the case for that purpose and stay all further proceedings except such as are necessary to preserve the rights of the parties. The court shall make rules regulating the procedure and sittings of the appellate division, for the preparation and submission of reports and the allowance of reports which a single justice shall disallow as not conformable to the facts, or shall fail to allow by reason of physical or mental disability, death or resignation, for the reporting of cases reserved for report when a single justice shall fail to report the same by reason of physical or mental disability, death or resignation, and for the granting of new trials.

Appellate division of municipal court of city of Boston, powers, duties.

Reports for determination by appellate division of certain cases at instance of justice, etc.

Section 2. Section one hundred and ten B of said chapter two hundred and thirty-one, inserted by section eight of chapter five hundred and thirty-two of the acts of nineteen hundred and twenty-two and as amended by section one of chapter fifty-four of the acts of nineteen hundred

G. L. 231, § 110B, etc., amended.

and thirty, is hereby further amended by adding at the end thereof the following: — A single justice may, after decision thereon, report for determination by the appellate division any case in which there is an agreed statement of facts or a finding of the facts or any other case involving questions of law only. If a single justice is of opinion that an interlocutory finding or order made by him ought to be reviewed by the appellate division before any further proceedings in the trial court, he may report the case for that purpose and stay all further proceedings except such as are necessary to preserve the rights of the parties.

Reports for determination by appellate division of district courts of certain cases at instance of justice, etc.

G. L. 218, § 43, etc., amended.

SECTION 3. Section forty-three of chapter two hundred and eighteen of the General Laws, as amended by section nine of said chapter five hundred and thirty-two, is hereby further amended by inserting after the word "resignation" in the tenth line the following: —, the reporting of cases reserved for report when a justice shall fail to report the same by reason of physical or mental disability, death or resignation, — so as to read as follows: — *Section 43.* The justices, or a majority of them, of all the district courts, except the municipal court of the city of Boston, shall from time to time make and promulgate uniform rules regulating the time for the entry of writs, processes and appearances, the filing of answers and for holding trials in civil actions, the preparation and submission of reports, the allowance of reports which a justice shall disallow as not conformable to the facts, or shall fail to allow by reason of physical or mental disability, death or resignation, the reporting of cases reserved for report when a justice shall fail to report the same by reason of physical or mental disability, death or resignation, the granting of new trials, and the practice and manner of conducting business in cases which are not expressly provided for by law, including juvenile proceedings and those relating to wayward, delinquent and neglected children.

Uniform rules of district courts.

When operative.

SECTION 4. This act shall become operative on September first in the current year. *Approved May 16, 1931.*

Chap. 326 AN ACT TO AUTHORIZE THE TOWN OF FALMOUTH TO CONVEY CERTAIN REAL ESTATE THEREIN AND ACCEPT A RESTRICTED DEED OF CERTAIN OTHER REAL ESTATE.

Be it enacted, etc., as follows:

Town of Falmouth may convey certain real estate therein and accept a restricted deed of certain other real estate.

SECTION 1. The town of Falmouth is hereby authorized to convey, by appropriate deeds executed by its board of selectmen, certain property at West Falmouth, to the owners from whom said property was taken by eminent domain for park purposes under an order of taking dated December fourteenth, nineteen hundred and twenty-six, or their heirs or assigns, and said town of Falmouth is hereby authorized and empowered to purchase from the Chapaquoit Associates, a voluntary association under a declaration of trust, a tract of land bounded by Chapaquoit road on the east, land

of James A. Boyce and Annie F. Eddy on the south, by the waters of Buzzards bay on the west and by land formerly of said Chapaquoit Associates on the north, subject to restrictions limiting the use of such tract to residents of the town of Falmouth and their guests.

Section 2. This act shall take effect upon its passage.

Approved May 16, 1931.

An Act relative to the jurisdiction of the superior or probate court over children of parents divorced in another jurisdiction. *Chap.* 327

Be it enacted, etc., as follows:

Section 1. Chapter two hundred and eight of the General Laws is hereby amended by striking out section twenty-nine and inserting in place thereof the following: — *Section 29.* If, after a divorce has been decreed in another jurisdiction, minor children of the marriage are inhabitants of or residents in this commonwealth, the superior or probate court for the county in which said minors or any of them are inhabitants or residents, upon petition of either parent or of a next friend in behalf of the children, after notice to both parents, shall have the same power to make decrees relative to their care, custody, education and maintenance, and to revise and alter such decrees or make new decrees, as if the divorce had been decreed in this commonwealth.

G. L. 208, § 29, amended.

Jurisdiction of superior or probate court over children of parents divorced in another jurisdiction.

Section 2. This act shall take effect September first in the current year. *Approved May 18, 1931.*

Effective date.

An Act relative to the taking of crabs for family use. *Chap.* 328

Be it enacted, etc., as follows:

Section ninety A of chapter one hundred and thirty of the General Laws, inserted by chapter four hundred and fourteen of the acts of nineteen hundred and thirty, is hereby amended by adding at the end thereof the following: —, or the taking thereof by a person for his own family use, — so as to read as follows: — *Section 90A.* No person, either as principal, agent or employee, shall at any time catch crabs in, or take them from, any waters within the jurisdiction of the commonwealth, or place, set, keep, maintain, supervise, lift, raise or draw in or from the said waters, or cause to be placed, set, kept, maintained, supervised, lifted, raised or drawn in or from the said waters any pot, trap or other contrivance designed for, or adapted to, the taking of crabs, unless licensed so to do as provided in the following section, nor unless he is a citizen of the commonwealth or is an alien residing in the commonwealth who, prior to June first, nineteen hundred and thirty, has filed his declaration of intention to become a citizen of the United States; provided, that if any such alien shall not become a citizen of the United

G. L. 130, § 90A, amended.

Taking of crabs regulated.

Proviso.

States within the term of five years and ninety days next subsequent to such filing he shall not thereafter be entitled to receive or to act under a license issued under authority of the following section. Nothing in this or the following section shall be construed to prohibit or regulate the taking of crabs solely for bait purposes, or the taking thereof by a person for his own family use. *Approved May 18, 1931.*

Taking of crabs for certain purposes permitted.

Chap. 329 AN ACT RELATIVE TO WITNESS FEES FOR POLICE OFFICERS OF THE METROPOLITAN DISTRICT COMMISSION.

Be it enacted, etc., as follows:

G. L. 262, § 56, etc., amended.

Chapter two hundred and sixty-two of the General Laws, as amended in section fifty-six by section two of chapter three hundred and seventy-seven of the acts of nineteen hundred and twenty-two, is hereby further amended by striking out said section fifty-six and inserting in place thereof the following: — *Section 56.* Except as otherwise provided, an officer of the commonwealth whose salary is fixed by law, or any employee of the commonwealth receiving regular compensation therefrom, other than a police officer of the metropolitan district commission, shall not be entitled to a witness fee before any court or trial justice in a cause in which the commonwealth is a party. An officer whose compensation is derived solely from fees shall not be entitled to receive more than one fee as a witness for a day's attendance on court under one or more summonses in behalf of the commonwealth, and the said fee shall be apportioned by the clerk among the cases in which he is summoned. Nothing in this section shall be construed to authorize the payment of a witness fee to any member of the police department of said commission if he is on duty at the time of his attendance on court as a witness.

Witness fees for certain officers.

Approved May 18, 1931.

Chap. 330 AN ACT AUTHORIZING THE SCHOOL COMMITTEE OF THE CITY OF SALEM TO EXPEND MONEY FOR CERTAIN ATHLETIC EQUIPMENT AND OTHER ATHLETIC PURPOSES AND AUTHORIZING THE TREASURER OF SAID CITY TO RECEIVE CERTAIN FUNDS FOR SUCH PURPOSES.

Be it enacted, etc., as follows:

School committee of city of Salem may expend money for certain athletic equipment and other athletic purposes.

The net receipts accruing from all athletic contests and games engaged in by the pupils of the public schools of the city of Salem and sanctioned by the school committee of said city shall be deposited in the city treasury and held for expenditure for purchasing athletic wearing apparel and clothing, and repairing, altering and cleaning the same, for use by the pupils of said schools in connection with such athletic contests and games, for the support and encouragement of recreation, play and physical education in the public schools of said city, for the repair and reconstruction of and

for additions to the present stadium and field, and for other incidental expenses connected with such athletic contests and games, and shall be expended as aforesaid on order of the school committee. The treasurer of said city may receive all funds in the possession of the committee known as the committee on Salem high school athletics, and such funds shall be expended for the same purposes and in the same manner as other funds received by him under this act.

City treasurer may receive certain funds for such purposes.

Approved May 18, 1931.

An Act authorizing certain games of cards in connection with which prizes may be won by chance. *Chap.* 331

Be it enacted, etc., as follows:

Chapter two hundred and seventy-one of the General Laws is hereby amended by inserting after section twenty-two the following new section: — *Section 22A.* Nothing in this chapter shall authorize the prosecution, arrest or conviction of any person for conducting or promoting, or for allowing to be conducted or promoted, a game of cards commonly called whist or bridge, in connection with which prizes are offered to be won by chance; provided, that the proceeds of the charges for admission to such game are donated solely to charitable, civic, educational, fraternal or religious purposes.

G. L. 271, new section after § 22.

Certain games of cards in connection with which prizes may be won by chance authorized.

Proviso.

Approved May 18, 1931.

An Act relative to loans of co-operative banks. *Chap.* 332

Be it enacted, etc., as follows:

Section 1. Section twenty-five of chapter one hundred and seventy of the General Laws is hereby amended by striking out all after the word "loan" in the eighth line, — so as to read as follows: — *Section 25.* No loan shall be made upon real estate unless a written application is made therefor, showing the date, name of applicant, amount of loan desired, description of property offered and other information deemed necessary. A written report thereon shall be made by at least two members of the security committee, signed by them, approving the security offered and certifying to the value of the property according to their best judgment. The application and report shall be filed and preserved with all other papers relating to the loan.

G. L. 170, § 25, amended.

Applications for loans on real estate.

Section 2. Said chapter one hundred and seventy is hereby amended by striking out section twenty-six and inserting in place thereof the following: — *Section 26.* For every loan made upon real estate a note shall be given, accompanied by a transfer and pledge of the requisite number of shares standing in the name of the borrower, and secured by a mortgage of real estate situated in the commonwealth, the title to which is in the name of the borrower and which is unencumbered by any mortgage or lien other than municipal liens or such as may be held by the corporation making the

G. L. 170, § 26, amended.

Loans on real estate.

loan. No loan upon one parcel of real estate shall exceed eight thousand dollars and no loan shall exceed eighty per cent of the value of the mortgaged property, if improved real estate, nor more than fifty per cent of such value, if vacant land, as certified by the security committee. The shares so pledged shall be held by the corporation as collateral security for the performance of the conditions of the note and mortgage. The note and mortgage shall recite the number of shares and the series to which the shares belong and the amount of money advanced thereon, and shall be conditioned upon the payment at or before the stated meetings of the corporation of the monthly dues on said shares, and the interest and premium, if any, upon the loan, with all fines on payments in arrears, until said shares reach their matured value or until said loan is otherwise cancelled and discharged. If the borrower fails to offer security satisfactory to the directors within the time prescribed by the by-laws, his right to the loan shall be forfeited and he may be charged with one month's interest and one month's premium, if any, at the determined rate, and with such part of the expenses incurred as may be determined by the board of directors; and the money appropriated for such loan may subsequently be reloaned.

When loan may be converted into a demand or time loan, etc.

Whenever the full value of shares pledged to secure any loan on improved real estate made and secured as aforesaid, after deducting all fines and other charges legally incurred respecting said shares, shall equal or exceed twenty-five per cent of the original amount of the note evidencing such loan, but not earlier than four years after the date of said note, such loan may, at the option of the owner of such shares and with the approval of the directors, be converted into a demand or time loan bearing interest at a determined rate payable monthly or quarterly, and evidenced by a new note secured by a first mortgage in common form upon said real estate; provided, that upon application of the shareholder for such conversion, a report approving the security for such converted loan and a certification of the value of the real estate securing the same shall be made in the manner provided by section twenty-five for original co-operative bank loans and that said loan when so converted will not exceed sixty per cent of the value of the real estate securing the same, as certified as aforesaid, and said shareholder shall subscribe for such number of shares in the current series and, until the discharge of such converted loan, shall hold such number of shares, as the treasurer may determine.

Proviso.

Proceedings in event of conversion, etc.

In the event of the conversion as aforesaid of a co-operative bank mortgage into a common form mortgage, the full value of the shares pledged to secure the co-operative bank mortgage, after deducting all fines and any other charges legally incurred and such sum as will leave the unpaid balance a multiple of fifty dollars, shall be credited to the owner thereof, the co-operative bank mortgage discharged and the shares pledged to secure the same surrendered and cancelled.

No loan or mortgage shall so be converted as to render the total amount of such converted loans held by such corporation in excess of fifteen per cent of the aggregate amount of loans secured by mortgage of real estate held by such corporation. Every parcel of real estate mortgaged to secure a converted loan shall be revalued at intervals of not more than three years so long as it is so mortgaged, by at least two members of the security committee of the corporation, who shall certify in writing according to their best judgment the value of the real estate so mortgaged. Such reports shall be filed and preserved with the records of the corporation. If, at the time of any such revaluation, the amount outstanding on such a converted loan is in excess of sixty per cent of the value of the real estate mortgaged to secure the same, a reduction in the amount of such loan shall be required, as promptly as may be practicable, sufficient to bring its amount within sixty per cent of the said value; provided, that no such reduction shall be required prior to the maturity of the loan. Restrictions as to conversion, etc.

Section 3. This act shall take effect on November first of the current year. *Approved May 18, 1931.* Effective date.

An Act revising and extending the term of the lease to the commonwealth of the properties of the Boston Elevated Railway Company and continuing public management and operation thereof. *Chap.* 333

Be it enacted, etc., as follows:

Section 1. Public management and operation of the Boston Elevated Railway Company under the provisions of chapter one hundred and fifty-nine of the Special Acts of nineteen hundred and eighteen, as heretofore and hereby amended, shall continue until July first, nineteen hundred and fifty-nine, and thereafter, unless terminated on said date or thereafter, in the manner provided in section twelve of said chapter one hundred and fifty-nine. Public management and operation of Boston Elevated Railway Company continued until July 1, 1959.

Section 2. Dividends payable upon the common stock of the Boston Elevated Railway Company, hereinafter called the company, and included in the cost of the service under said chapter shall be reduced from six per cent to five per cent upon the par value thereof from the time this act takes effect so long as public management and operation continues. Reduction in dividends payable upon common stock, etc.

Section 3. If at any time while public management and operation continues a deficit shall occur of which notice is given to the treasurer and receiver general of the commonwealth under section eleven of said chapter one hundred and fifty-nine, the trustees of the Boston Elevated Railway Company, hereinafter called the trustees of the company, shall at the same time give like notice to the trustees of the metropolitan transit district created by chapter three hundred and eighty-three of the acts of nineteen hundred and twenty-nine who shall forthwith call a meeting of the metropolitan transit council created by said chapter three hundred and eighty- Notice of deficit, etc. Meeting of metropolitan transit council.

three to consider whether or not the fares and charges for service shall be increased. If said council so determines, the trustees of the company shall within sixty days after receipt of written notice of such determination put into effect such higher rates of fare and charges for all or any services furnished or operated as in their judgment will be sufficient, or best adapted, to prevent thereafter a further deficit to be assessed upon the cities and towns in which service is operated. The trustees of the company shall also notify the department of public utilities whenever such a deficit shall occur. Upon receipt of such notice said department shall carry on such investigation as it may deem advisable of the operations and the expenses of the company, and shall make a report to the governor and the members of the metropolitan transit council in writing of its findings, together with any recommendations, whereby future deficits may be avoided or reduced, and the service improved. Such reports whenever made shall be made public. From the time this act takes effect so long as public management and operation continues, the operation of section ten of said chapter one hundred and fifty-nine, as amended, shall be suspended.

Determination as to higher rates of fare and charges.

Notification of department of public utilities.

Investigation and report of findings, etc.

Reports public.

1918 (S), 159, § 10, as amended, suspended.

SECTION 3A. The acceptance of this act by the company shall constitute an agreement upon its part that, upon execution and delivery to it prior to January first, nineteen hundred and thirty-four, by the transit department of the city of Boston acting under the authority hereinafter given, of a contract between the city of Boston and the company extending the terms of all existing leases and/or contracts between said company and the city of Boston for the use of all subways, tunnels, stations, rapid transit facilities, and alterations, extensions, appurtenances, and equipment thereof and connections therewith now existing or under construction, for a term extending to the first day of July, nineteen hundred and sixty-two, and thereafter unless and until terminated on the first day of July, nineteen hundred and sixty-two, or the first day of July in any year thereafter by prior notice in writing given as provided in the respective leases and/or contracts for use, or extensions thereof, under the existing rentals as contained in said leases and/or contracts for use as heretofore extended and on the same terms and conditions contained in said leases and/or contracts for use or extensions thereof at present in force, all such leases and/or contracts for use and extensions thereof shall thereby be extended as aforesaid and the company shall be bound thereby as fully as though such contract were executed and delivered by it. The transit department of the city of Boston, acting in the name and on behalf of the city of Boston, is hereby authorized to extend the term of all said leases and/or contracts for use and extensions thereof and to execute and to deliver to the company a contract therefor, as hereinbefore provided. This section shall not take effect unless accepted on or before July first, nineteen hundred and

Acceptance of act by company to constitute certain agreement, etc.

Section not effective unless accepted on or

thirty-three, by vote of the city council of the city of Boston, subject to the provisions of its charter, and, in the determination of any question as to constitutionality, shall be deemed to be separable from the remaining provisions of this act.

before July 1, 1933, by Boston city council, etc.

Section 4. At any time and from time to time after this act takes effect, the trustees of the company shall have authority, in the name and on behalf of the company, and without further authorization than herein contained, in addition to the bonds, coupon notes or other evidences of indebtedness payable at periods of more than one year after the date thereof which the company may otherwise lawfully issue, to issue bonds of the company to an amount not exceeding thirty million dollars. The proceeds of such bonds shall be used for the retirement of the existing preferred stocks of the company as provided in this act including the payment of all amounts found due under section fourteen and for damages paid or recovered under section twelve and not otherwise. Said bonds shall bear interest at the rate of six per cent per annum, and shall be for the term of forty years.

Trustees may issue bonds of company to certain amount.

Proceeds, how used.

Rate of interest and term of bonds.

The payment of interest as it accrues on said bonds shall be deemed part of the cost of the service as defined in section six of said chapter one hundred and fifty-nine.

Payment of interest to be deemed part of cost of service.

Said bonds, both as to principal and income, are hereby made exempt from all taxes levied under authority of the commonwealth and shall contain a recital to such effect.

Bonds exempt from taxation.

Said bonds shall be subject to the priority of bonds, coupon notes or other evidences of indebtedness issued for the purposes and under the authority specified in section eighteen and shall be sold only to the metropolitan transit district, which shall retain the same in its treasury until surrendered for cancellation as provided in section seven.

To be sold only to metropolitan transit district, etc.

Section 5. The trustees of the metropolitan transit district in the name and on behalf of said district shall from time to time upon and in accordance with the request of the trustees of the company purchase the bonds issued under authority of the preceding section at the face value thereof, and shall procure the funds necessary therefor by the issue of notes and bonds of the district under and in the manner provided in section ten of chapter three hundred and eighty-three of the acts of nineteen hundred and twenty-nine, and the provisions of said section shall apply thereto in the same manner and to the same extent as if such notes and bonds were specifically authorized in said chapter. Said bonds may be issued on either the sinking fund or serial payment plan, and if issued on the serial plan, the trustees of said district shall endeavor so to arrange the maturities thereof that the bonds maturing each year will be met by the amounts available from interest upon the bonds purchased and from the special compensation tax to be paid by the company as provided in the following section. All amounts received by the district from said interest and special compensation tax

Purchase of bonds and issue of notes and bonds of district to procure necessary funds therefor, etc.

Issue of bonds on either sinking fund or serial payment plan, etc.

shall be applied in payment of interest and principal of the notes and bonds issued under this section as and when due and any balance shall be accumulated in a sinking fund to be used for such purpose. Said fund may be invested by the trustees of the district in any bonds or coupon notes of the company or in other securities which are legal investments for savings banks in this commonwealth and all income accruing therefrom shall be added to the fund.

Annual payment of special compensation tax by company to metropolitan transit district, etc.

SECTION 6. The company shall annually on the first day of February pay to the metropolitan transit district, for the benefits conferred by this act, a special compensation tax of an amount which, when added to the interest payable to the said district during the preceding calendar year upon the bonds of the company acquired under section five, shall be sufficient to pay all interest upon the notes and bonds of the district issued to provide funds for such acquisition and payable during said preceding calendar year increased by an amount which shall be computed at the rate of two per cent per annum on the amount of bonds of the company held by the district for the time while held during said year.

When district shall surrender to company for cancellation bonds of company purchased under § 5, and receive in exchange a "certificate of indebtedness" of company, etc.

SECTION 7. Upon the retirement of all bonds and notes of the district issued under the provisions of section five including all notes or bonds issued to refund the same, or upon the accumulation of a sinking fund sufficient to pay the same with interest to maturity, the district shall surrender to the company for cancellation the bonds of the company purchased under said section and receive in exchange therefor a "certificate of indebtedness" of the company in the total amount of the par value of all bonds of the company surrendered to the company by the district under the provisions of this section. Said "certificate of indebtedness" shall not be entitled to receive interest and shall be payable only in liquidation or in the event of a sale of substantially all the assets and franchises of the company and, in liquidation, only after payment of all other indebtedness of the company.

Stockholders' meeting, determination as to acceptance of act.

Filing of certificate of acceptance and further certificate containing list of stockholders who voted in favor of acceptance, with state secretary.

SECTION 8. The company shall, within sixty days after the passage of this act hold a stockholders' meeting especially called for the purpose of determining whether or not the company will accept this act. If this act is accepted at said meeting, or at any adjournment thereof within ninety days after its passage, by vote of the holders of not less than a majority in amount of the entire capital stock then outstanding, as well as of the holders of not less than a majority in amount of all the classes of preferred stocks combined then outstanding, a certificate evidencing such acceptance shall forthwith be filed by the clerk of the company with the state secretary and as speedily as possible thereafter the clerk of the company shall file with the state secretary a further certificate containing a list of all stockholders who voted in favor of such acceptance either in person or by proxy and as to each the number of shares of each class of stock so voted. Such certificates or duly certified copies thereof shall be admissible as evidence of the facts so certified.

A vote to accept this act cast by any holder of any share or shares of any of the classes of stocks of the company either common or preferred, whether cast in person or by proxy, shall constitute an assent and agreement on the part of such stockholder to surrender for cancellation at the prices and on the terms and conditions stated in section nine all the preferred stock of all classes held by him or registered in his name on the books of the company and to accept all the provisions of this act. Such a stockholder shall be known as an "assenting stockholder". Such assent shall bind all assignees and all subsequent owners and transferees of such stock, any provisions of general or special laws to the contrary notwithstanding. The filing of said certificate of acceptance shall constitute a taking by eminent domain by the company of the preferred stock of all classes not owned by "assenting stockholders". Certain stockholders to be known as "assenting stockholders", etc.

Section 9. Dividends upon all classes of preferred stocks of the company shall cease when this act takes effect, and all "assenting stockholders" shall be entitled on or after such date not more than seven months thereafter as may be fixed by the trustees of the company to present their certificates of such stock to the treasurer of the company, or to such bank or trust company as may be designated by the said trustees, for the purpose of surrender and cancellation and shall be respectively entitled to receive payment for their said stock, duly endorsed to the company, on the following basis: for each share of first preferred stock, one hundred and ten dollars; for each share of second preferred stock, one hundred and two dollars; for each share of the preferred stock, one hundred dollars, together with the accrued dividends at the rate fixed for each of said classes from the last dividend date thereof to and including the day on which this act takes effect and with interest at the rate of five per cent per annum from the date dividends cease as hereinbefore provided to the date so fixed for presentation. "Assenting stockholders" may present stock to treasurer of company, etc., for purpose of surrender and cancellation, etc.

Basis of payment.

Owners of preferred stock of all classes, which shall not be stamped "non-assenting" as provided in section ten, shall be entitled to surrender their said stocks on the basis hereinabove provided. Surrender of preferred stock not stamped "non-assenting".

Any owner of common or preferred stock of the West End Street Railway Company whose stock has not been exchanged under the provisions of chapter seven hundred and forty of the acts of nineteen hundred and eleven may surrender the same duly endorsed to the company and receive in payment therefor the amount in cash to which he would have been entitled if such exchange had been made. Surrender of common or preferred stock of West End Street Railway Company, etc.

Such provision for cases of stock certificates lost or destroyed may be made as the trustees of the company shall determine. Stock certificates lost or destroyed.

The trustees of the company shall permit preferred stockholders of any class, who fail to take any action necessary to preserve their rights under this act, to surrender their stocks for cancellation on the basis of valuation set forth above or Surrender for cancellation of stocks of preferred stockholders who fail to take action, etc.

such lower valuation as the trustees shall determine to be equitable or just.

Filing of opposition to acceptance of act, etc.

SECTION 10. Any holder or owner of shares of any of the preferred stocks of the company who did not vote, either in person or by proxy, any stock of any class either common or preferred in favor of the acceptance of this act may, within a limit of six months after this act takes effect, file with the clerk of the company or with the bank or trust company appointed by the company as the transfer agent of the class or classes of stock held by him, a writing addressed to the company declaring his opposition to the acceptance of this act and stating the number of shares held by him and the number or numbers of the certificate or certificates evidencing the same, and shall at the same time present to said clerk or said bank or trust company the certificate or certificates of stock evidencing such shares to be stamped with the word "non-assenting" and the holder of any such preferred shares of any class so stamped shall not be entitled, except as provided in the last paragraph of the preceding section, to surrender the same for cancellation, under the provisions of said section.

Presentation of certificate of stock to be stamped "non-assenting".

Holder not entitled to surrender stock for cancellation, etc.

Holder failing to cause certificates of stock to be stamped "non-assenting" to be deemed an "assenting" stockholder.

SECTION 11. The holder or owner of any shares of any preferred stocks of the company who does not within said limit of six months cause the certificates evidencing the same to be stamped "non-assenting" as provided in the preceding section shall, at the expiration of said six months' period, be deemed to be an "assenting" stockholder and all certificates not so stamped within said period shall be surrendered in the same manner and on the same basis as provided in section nine.

Recovery of indemnity for loss by reason of complying with certain requirements.

Proviso.

SECTION 12. A person who is subjected to loss by reason of complying with the requirements of section ten in presenting his stock certificates for stamping shall be entitled to recover indemnity therefor under chapter seventy-nine of the General Laws provided that proceedings therefor shall be brought only in the superior court and only within ten months from the date this act takes effect.

Person accepting certificate of stock not stamped "non-assenting" to be deemed an "assenting" stockholder.

SECTION 13. Any person accepting a certificate or certificates of any stock of the company issued after the date this act takes effect which is not stamped "non-assenting" shall be deemed to be an "assenting" stockholder and to have accepted and assented to all the provisions of this act.

Proceedings for valuation of any class of preferred stocks, certificates evidencing which are duly stamped "non-assenting".

SECTION 14. Any stockholder of the company who owns any share or shares of any class of its preferred stocks, the certificates evidencing which are duly and properly stamped "non-assenting" as hereinbefore provided may, not later than six months after the limiting date for such stamping as set in section ten, request that his said shares of any class of preferred stocks be valued in the manner following: The stockholder may file a petition in the supreme judicial court within and for the county of Suffolk, setting forth the material facts and asking that the value of his said shares be determined. Thereupon, and upon such notice to all parties concerned as it may deem proper, the court shall pass an order requiring the certificate or certificates evidencing such

Appointment of commissioners to ascertain value of shares.

shares, duly endorsed, to be deposited with the clerk of the court, and shall appoint three commissioners to ascertain and report the value of the shares.

In order to avoid multiplicity of trials of the same issues or for any other reason in its discretion the court may postpone the appointment of commissioners or order for trial by jury as hereinafter provided, until the period of limitation for filing petitions hereunder has expired.

For certain reasons court may postpone appointment of commissioners, etc.

The report shall be made to the court as soon as is practicable, and, after due notice to the parties in interest, shall be confirmed by the court unless some error of law be made to appear upon the face of the report, in which event it shall be recommitted to the commissioners with such order as the court may make. If a trial by jury is claimed by either party within twenty days of the filing of the petition the court shall upon final confirmation of the commissioners' report order the question of the value of the shares as to which trial by jury is claimed to be tried and determined by a jury in the superior court in the same manner in which other civil cases are tried in that court. The commissioners' report shall be admitted in evidence with like force and effect as an auditor's report in an action at law.

Report to court, etc.

Confirmation, unless, etc.

Trial by jury.

Commissioners' report to be admitted in evidence.

The company shall be liable for and shall pay all sums found due and payable to all holders of shares in the proceedings aforesaid, including interest at the rate of four per cent per annum from the date this act takes effect which shall be deemed to be the date of taking of said stock by the company by eminent domain, and such costs as the court may order, and if the court determines that justice so requires shall likewise furnish such security for the said payment as the court may order. For the purposes of this section the value of the shares shall neither be increased nor diminished by reason of the provisions of this act or the extension of the lease of the properties of the company to the commonwealth hereunder or the extension authorized by section three A.

Liability of company, etc.

Upon payment, or tender or deposit with the clerk of the court of the value of said shares fixed as aforesaid, such "non-assenting" shares and the certificate or certificates thereof shall be delivered to the company whose right and title to receive the same and to hold possession thereof may be enforced by the court by any appropriate process, and the company shall upon receipt of such certificates cancel the same.

Delivery of "non-assenting" shares, etc., upon payment, or tender or deposit with clerk of the court of value of shares, etc.

Exceptions may be taken to any ruling or order of said court, to be heard and determined as in other civil cases. The court may make all such orders for the enforcement of the rights of any party to the proceedings, for consolidation of two or more petitions and their reference to the same commissioners, for the consolidation of claims for a trial by jury and framing of issues therefor, for deposit of money in court, and for the payment of interest upon the value of the stockholders' shares as determined and the payment of costs by one party to the other, as justice may require. The attorney general, in behalf of the commonwealth shall

Exceptions to ruling of court, etc.

Court orders for enforcement of rights of any party to proceedings, etc.

be made a party to such proceedings and shall appear and be heard therein.

Certain stockholders owning shares of any class of preferred stocks the certificates evidencing which are stamped "non-assenting" not to have right to have them valued, etc.

Any stockholder of the company who owns any shares of any class of its preferred stocks the certificates evidencing which are stamped "non-assenting", who does not within the period of limitation hereinbefore provided file an original or intervening petition requesting that his shares be valued, shall not thereafter have the right to have them valued, but shall be entitled to surrender the same as provided in section nine.

Notice to registered holders of preferred stock of each class that act is effective, etc.

SECTION 15. The trustees of the company in the name and on behalf of the company shall within thirty days after this act takes effect, give notice of that fact to all registered holders of preferred stock of each class, enclosing therewith a copy of this act and calling their attention especially to the provisions of sections nine to fourteen, inclusive.

Notice by registered mail.

SECTION 16. All notices to stockholders required by this act, or by chapter seventy-nine of the General Laws for the purposes of this act, shall be given by registered mail addressed to each stockholder as his address appears upon the records of the company, and by publication in each of two daily newspapers published in the city of Boston, once each week, for three successive weeks, but the taking or retirement of any stock of any class shall not be invalidated, nor shall the time within which stock may be presented to be stamped "non-assenting" nor the time within which any petitions for damages may be filed be extended by reason of any defect therein nor by failure to give or receive such notice.

Publication.

Failure to give or receive notice not to invalidate the taking or retirement of any stock of any class, etc.

Acceptance of act by company to constitute certain agreement as to dividends.

SECTION 17. The acceptance of this act by the company shall constitute an agreement upon its part that in no event after termination of public management and operation shall dividends in excess of six per cent per annum be declared or paid upon its common stock.

Acceptance to constitute agreement by company to sell to commonwealth or any political subdivision thereof, etc., at any time during period of public management and operation, its whole assets, property and franchises, etc.

Such acceptance shall also constitute an agreement by the company to sell to the commonwealth or any political subdivision thereof or any corporation specifically authorized by the commonwealth to purchase the same, at any time during the period of public management and operation, its whole assets, property and franchises as a going concern upon the assumption by the commonwealth or such political subdivision of all its outstanding indebtedness and liabilities, and the payment of an amount in cash equal to any amount paid in in cash for stock hereafter issued and also an amount in cash equal to one hundred and five dollars per share for all common stock at present issued and then still outstanding decreased by one half of any sums hereafter assessed under the provisions of said chapter one hundred and fifty-nine or of this act upon cities and towns served by the company which have not then been repaid to the commonwealth provided however that such decrease shall not reduce the amount payable on account of said common stock below the amount of eighty-five dollars per share. A sale by the company under the foregoing option shall work a dissolution of the

Sale by company to work a dissolution of company.

company subject to the provisions of sections fifty-one and fifty-two of chapter one hundred and fifty-five of the General Laws.

Such acceptance shall also constitute an agreement by the company that none of the provisions of this act shall preclude the commonwealth or any political subdivision thereof from taking the property and franchises of the company at any time through the exercise of the power of eminent domain and that in the event of such a taking the compensation to be paid to the company shall not be enhanced or diminished by reason of the passage of this act or of any amendments thereof.

Acceptance to constitute agreement by company that commonwealth or any political subdivision thereof shall not be precluded from taking property and franchises by eminent domain.

Such acceptance shall also constitute a contract between the company and the commonwealth, binding upon the company, by which it agrees that after termination of public management and operation, it shall be subject to and bound by such regulation and determination of service to be furnished or operated and such regulation and fixing of rates and charges for service as the general court or the department of public utilities or any other board or commission to which such powers may be delegated by the general court shall thereafter prescribe, provided that such powers shall not be exercised so as to reduce the income of the company below an amount necessary to enable it to earn and pay dividends of six per cent per annum upon the par value of its common stock in addition to the dividend requirements for any preferred or special stock hereafter issued in accordance with law.

Acceptance to constitute certain contract between company and commonwealth, etc.

Proviso.

Section 18. Notwithstanding anything contained in general or special laws, the company, subject to the approval of the department of public utilities, may issue and reissue bonds, coupon notes or other evidences of indebtedness payable at periods of more than one year from the date thereof for the purposes of paying or refunding any such bonds, coupon notes, or other evidences of indebtedness outstanding when this act takes effect; and subject to the approval of the department of public utilities may issue additional bonds, coupon notes or other evidences of indebtedness, payable at periods of more than one year after the date thereof, to an amount equal to the cash paid in upon additional stock issued after this act takes effect. Bonds, coupon notes or other evidences of indebtedness issued under authority conferred by this section shall be entitled to priority in payment both as to principal and interest over bonds issued under the authority of section four and shall not be subject to the limitations contained in section twenty-nine of chapter one hundred and sixty-one of the General Laws.

Company may issue and reissue bonds, coupon notes or other evidences of indebtedness for purposes of paying or refunding such bonds, coupon notes, etc., outstanding when act takes effect, etc.

Section 19. None of the provisions of this act or of said chapter one hundred and fifty-nine shall be construed to constitute a contract binding upon the commonwealth other than (*a*) the provisions of section one of this act which define the term of public management and operation herein and therein provided for, (*b*) the provisions which define the

Provisions of act or of 1918 (S), 159, not to be construed to constitute a contract binding upon commonwealth other than certain defined provisions.

terms and conditions under which during said term of public management and operation the property owned, leased or operated by the company shall be managed and operated by the trustees of the company, (*c*) the provisions of sections four and eighteen of this act providing priorities of certain bonds, coupon notes or other evidences of indebtedness of the company and (*d*) the provisions of section thirteen of said chapter one hundred and fifty-nine, which provisions shall constitute a contract binding upon the commonwealth.

Act to be regarded as amendatory of 1918 (S), 159, etc.

Section 20. This act shall be regarded as amendatory of said chapter one hundred and fifty-nine of the Special Acts of nineteen hundred and eighteen, and this act and said chapter shall, for purposes of interpretation and construction, be treated as one act.

Company may take by eminent domain stock of West End Street Railway Company.

Section 21. The trustees of the company in the name and behalf of the company may take by right of eminent domain under chapter seventy-nine of the General Laws any stock of the West End Street Railway Company still outstanding not exceeding in all a total par value of ten thousand dollars.

Operation of 1918, 159, §§ 10 and 11, suspended until, etc.

Section 22. Until the period of ninety days within which this act must be accepted as provided in section eight has expired, the operation of sections ten and eleven of said chapter one hundred and fifty-nine which authorize an increase in fares and payment of deficits by the commonwealth shall be suspended and no such payment shall be required in the current year. This section shall take effect upon its acceptance by vote of the board of directors of the company.

Certain special trust fund to be converted by company into cash when all second preferred stock of company has been retired.

How applied.

Section 23. When all the second preferred stock of the company has been retired, the special trust fund established under the provisions of section nine of chapter seven hundred and forty of the acts of nineteen hundred and eleven shall, to the extent necessary therefor, be converted by the trustees of the company into cash and the same shall thereupon be applied to repay to the commonwealth all amounts which, prior to the effective date of this act, have been assessed under the provisions of chapter one hundred and fifty-nine of the Special Acts of nineteen hundred and eighteen upon the cities and towns served by the company and which have not been previously repaid to the commonwealth, and the treasurer and receiver general of the commonwealth shall thereupon distribute the same to such cities and towns as provided in said chapter. Any balance remaining in said fund shall be applied as provided in said chapter seven hundred and forty.

§§ 8 and 22, when effective.

Remaining provisions, when effective.

Section 24. Section eight of this act shall take effect upon its passage, and section twenty-two thereof shall take effect upon acceptance as provided therein. The remaining provisions of this act shall not take effect unless said section twenty-two is accepted as therein provided before June thirtieth, nineteen hundred and thirty-one nor unless this act is accepted and certificate filed as provided in section

eight, but shall take effect upon such filing provided that said section twenty-two is accepted as aforesaid before said June thirtieth and provided that section three A shall not take effect as to the city of Boston unless accepted as therein provided. *Approved May 19, 1931.*

An Act authorizing the city of Melrose to use certain park lands for school purposes. *Chap.* 334

Be it enacted, etc., as follows:

City of Melrose may use certain park lands for school purposes.

Section 1. The city of Melrose is hereby authorized, by and with the consent of its park commission, to use for school purposes a portion of its undeveloped park lands located north of Lynn Fells parkway in said city and more particularly bounded and described as follows: — Beginning at a point on the northerly side of Lynn Fells parkway seven hundred feet distant in an easterly direction from Tremont street, thence running in a northerly direction by land of Melrose Athletic Field Association, Inc. two hundred feet to land now or formerly of William Magnar, thence turning and running in an easterly direction south eighty-nine degrees, fifty-one minutes, nineteen seconds east by land of said Magnar, and by land now or formerly of Frank S. Fields and Etta Carruthers, Paulina Spadafora, George F. Damon and Albert O. Plantinga eight hundred and eighty-six and six tenths feet to other land of said city of Melrose, thence turning at an angle and running in a southerly direction south five degrees, twenty-two minutes, fifty-three seconds west by land of said city of Melrose thirteen feet to said Lynn Fells parkway, thence turning at an angle and running in a westerly direction in a curved line by said Lynn Fells parkway nine hundred and nine and eighty-eight hundredths feet to the point of beginning, and thereafter the portion aforesaid shall be under the same care and control as other school property.

Section 2. This act shall take effect upon its passage. *Approved May 20, 1931.*

An Act authorizing the town of Dedham to construct and maintain a sewer on public land in the city of Boston. *Chap.* 335

Be it enacted, etc., as follows:

Town of Dedham may construct and maintain a sewer on public land in city of Boston.

Section 1. The town of Dedham is hereby authorized to construct and maintain a sanitary sewer, for a distance of approximately one hundred and sixty-five feet, in and under certain lands in the city of Boston known as the "parental home grounds", owned by said city; said sewer to be constructed from a point in the middle of the Charles river opposite the terminus of Vine Rock street in said town to a point in the existing metropolitan sewer in said lands owned by said city; provided, that the exact location of such sewer

shall be subject to the joint approval of the metropolitan district commission and the mayor of said city.

Town to restore to satisfaction of city any land disturbed under authority of act.

Section 2. Upon the completion of the sewer authorized by section one, or of any repairs thereon, said town shall restore to the satisfaction of the mayor of said city any lands in said city disturbed under authority of this act, and shall thereafter indemnify and hold harmless said city for and because of any loss, damage or expense which may result to it by reason of the construction and maintenance, or either of them, of such sewer. Any such loss, damage or expense so suffered by said city may be recovered by it from said town in an action of contract.

Recovery of any loss, damage or expense.

Section 3. This act shall take effect upon its passage.

Approved May 20, 1931.

Chap. 336 An Act validating certain votes taken by towns relating to land takings.

Be it enacted, etc., as follows:

Certain votes taken by towns relating to land takings validated.

No vote taken at a town meeting, including a representative town meeting, prior to January first in the current year, required by section fourteen of chapter forty of the General Laws to be a two thirds vote, shall be invalid by reason of the omission to take a count of the vote as required by section fifteen of chapter thirty-nine of the General Laws if it appears by the records of such meeting, as existing on said date, that such vote was a two thirds vote.

Approved May 20, 1931.

Chap. 337 An Act authorizing certain descriptive words relating to candidates to be placed upon official ballots for the election of officers in certain towns.

Be it enacted, etc., as follows:

G. L. 54, § 41, etc., amended.

Section forty-one of chapter fifty-four of the General Laws, as most recently amended by section four of chapter twenty-four of the acts of nineteen hundred and twenty-seven, is hereby further amended by adding at the end of the third paragraph the following: — The town clerk shall add the words "Caucus Nominee" to the name of any candidate nominated for a town office by a caucus held under the provisions of sections one hundred and seventeen to one hundred and twenty, inclusive, of chapter fifty-three, — so as to read as follows: — *Section 41.* Ballots for the use of voters in a voting precinct or town shall contain the names of all candidates duly nominated for election therein, and, except as provided in section forty-three, such ballots shall contain the name of no other person.

Election ballots to contain names of candidates nominated for election, etc.

To contain residences of candidates.

To the name of each candidate for a state office shall be added the name of the city or town where he resides. To the name of each candidate for a city office shall be added the name of the street on which he resides, with his street

number, if any; and to the name of each candidate for alderman at large shall also be added the number of the ward where he resides.

To contain political designations of candidates, except, etc.

To the name of each candidate for a state or city office, except city offices in cities where political designations are forbidden, shall be added in the same space his party or political designation or designations. To the name of a candidate for a state or city office who is an elected incumbent thereof and who is one of two or more candidates therefor bearing the same name, there shall be added in the same space the words "Candidate for Re-election". To the name of each candidate for a town office upon an official ballot shall be added the designation of the party or principle which he represents, contained in the certificate of nomination or nomination papers. The town clerk shall add the words "Caucus Nominee" to the name of any candidate nominated for a town office by a caucus held under the provisions of sections one hundred and seventeen to one hundred and twenty, inclusive, of chapter fifty-three.

To contain words "Candidate for Re-election", when.

To contain party designations, etc., of candidates for town offices.

Words "Caucus Nominee" to be added, when.

If a candidate shall receive the nomination of more than one party or more than one political designation for the same office, he may, within the seventy-two hours next succeeding five o'clock in the afternoon of the last day fixed for the filing of nominations, by a writing delivered to the officer or board required by law to prepare the official ballot, direct in what order the several nominations or political designations shall be added to his name upon the official ballot; and such directions shall be followed by the said officer or board. If, during said time, said candidate shall neglect to so direct, said officer or board shall add said nominations or political designations to the name of said candidate upon the official ballot in such order as said officer or board shall determine.

Political designations of candidates.

Approved May 20, 1931.

An Act authorizing the county of Berkshire to pay sums of money to certain persons for services and labor rendered in locating the body of Henrietta McDermott. *Chap.* 338

Be it enacted, etc., as follows:

Section 1. For the purpose of discharging a moral obligation, the county of Berkshire may pay to David J. Tierney the sum of two hundred and eighty-three dollars and eighty-eight cents, to George B. Tompkins the sum of four hundred and eighteen dollars and fifteen cents, to Daniel T. Mullen the sum of two hundred and ninety-six dollars and eighty-one cents, and to David J. Keegan the sum of two hundred and twenty-three dollars and sixty-seven cents to reimburse them for services and labor performed in locating the body of Henrietta McDermott who was drowned in an abandoned lime quarry pit owned by the town of Richmond and adjacent to a county highway.

Berkshire county may pay sums of money to certain persons for services and labor rendered in locating the body of Henrietta McDermott.

Submission to Berkshire county commissioners, etc.

SECTION 2. This act shall take full effect upon its acceptance during the current year by the county commissioners of the county of Berkshire, but not otherwise. For the purpose of such acceptance only, it shall take effect upon its passage. *Approved May 20, 1931.*

Chap. 339 AN ACT AUTHORIZING THE TOWN OF SOUTHAMPTON TO SUPPLY ITSELF AND ITS INHABITANTS WITH WATER.

Be it enacted, etc., as follows:

Town of Southampton may supply itself and its inhabitants with water.

SECTION 1. The town of Southampton may supply itself and its inhabitants with water for the extinguishment of fires and for domestic and other purposes; may establish fountains and hydrants, relocate or discontinue the same, and may regulate the use of such water and fix and collect rates to be paid for the use of the same.

May connect its pipes with that of the city of Holyoke.

SECTION 2. The said town, for the purposes aforesaid may connect its pipes with that of the city of Holyoke as authorized by section five of chapter four hundred and nineteen of the acts of eighteen hundred and ninety-six, and may lease, or take by eminent domain under chapter seventy-nine of the General Laws, or acquire by purchase or otherwise, and hold, the waters, or any portion thereof, of any pond, brook, spring or stream, not already appropriated for the purposes of a public water supply, or of any ground water sources by means of driven or other wells or filter galleries within the limits of said town, and the water rights and water sources connected therewith; provided, that the amount of water which may be taken shall from time to time be determined by vote of the town subject, in respect to water taken as aforesaid from the pipe of the said city, to the limit of amount imposed by said section five; and also may take by eminent domain under said chapter seventy-nine, or acquire by purchase or otherwise, and hold, all lands, rights of way and easements necessary for collecting and storing such water and protecting and preserving the purity thereof and for conveying the same to any part of said town; provided, that no source of water supply and no lands necessary for protecting and preserving the purity of the water shall be taken without first obtaining the advice and approval of the department of public health, and that the location of all dams, reservoirs, wells or filter galleries, filtration plants or other works to be used as sources of water supply under this act shall be subject to the approval of said department. Said town may construct and may erect on the lands taken or held under the provisions of this act proper buildings, reservoirs, standpipes, fixtures and other structures, and may make excavations, procure and operate machinery, and provide such other means and appliances and do such other things as may be necessary for the establishment and maintenance of complete and effective water works; and for that purpose may construct reservoirs, establish pumping works and lay down and maintain conduits, pipes and other works

May acquire certain waters, etc.

Proviso.

May erect structures, etc.

under or over any lands, water courses, railways, railroads or public or private ways, and along any such way in said town in such manner as not unnecessarily to obstruct the same; and for the purpose of constructing, laying, maintaining, operating and repairing such conduits, pipes and other works, and for all other proper purposes of this act, said town may dig up or raise and embank any such lands, highways or other ways in such manner as to cause the least hindrance to public travel thereon. Said town shall not enter upon, construct or lay any conduits, pipes or other works within the location of any railroad corporation except at such time and in such manner as it may agree upon with such corporation or in case of failure so to agree as may be approved by the department of public utilities.

May dig up and embank lands, highways, etc.

Restrictions as to entry upon railroad locations.

Section 3. The land, water rights and other property taken or acquired under this act and all works, buildings and other structures erected or constructed thereunder, shall be managed, improved and controlled by the board of water commissioners of the town of Southampton, hereinafter provided for, in such manner as they shall deem for the best interest of the said town.

Land acquired to be managed, etc., by board of water commissioners.

Section 4. Any person or corporation injured in his or its property by any action of said town or board under this act may recover damages from said town under said chapter seventy-nine; provided, that the right to damages for the taking of any water, water source or water right, or any injury thereto, shall not vest until the water is actually withdrawn or diverted by said town under authority of this act.

Property damages, recovery, etc.

Proviso.

Section 5. Said town may, for the purpose of paying the necessary expenses and liabilities incurred or to be incurred under the provisions of this act, other than expenses of maintenance and operation, issue from time to time bonds or notes to an amount, not exceeding, in the aggregate, one hundred and fifty thousand dollars, which shall bear on their face the words, Town of Southampton Water Loan, Act of 1931. Each authorized issue shall constitute a separate loan, and such loans shall be payable in not more than thirty years from their dates. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall, except as provided herein, be subject to chapter forty-four of the General Laws.

Town may issue bonds, etc.

Town of Southampton Water Loan, Act of 1931.

Section 6. Said town shall, at the time of authorizing said loan or loans, provide for the payment thereof in accordance with the provisions of section five; and when a vote to that effect has been passed, a sum which, with the income derived from the water rates, will be sufficient to pay the annual expense of operating its water works and the interest as it accrues on the bonds or notes issued as aforesaid, and to make such payments on the principal as may be required under the provisions of this act shall without further vote be assessed by the assessors of the said town annually thereafter in the same manner as other taxes, until the debt incurred by the said loan or loans is extinguished.

Payment of loan, etc.

Board of water commissioners, election, terms, etc.

SECTION 7. The said town shall, after its acceptance of this act, at the same meeting at which the act is accepted or at a subsequent meeting called for the purpose, elect by ballot three persons to constitute a board of water commissioners, one of whom shall hold office until the expiration of three years, one until the expiration of two years, and one until the expiration of one year, from the next succeeding annual town meeting; and at the annual town meeting held on the day on which the shortest of such terms expires and at each annual town meeting thereafter one such commissioner shall be elected by ballot for the term of three years.

Authority, etc.

All the authority granted to the said town by this act, except sections five and six, and not otherwise specially provided for shall be vested in said board of water commissioners, who shall be subject, however, to such instructions, rules and regulations as said town may impose by its vote.

Quorum.

A majority of said commissioners shall constitute a quorum for the transaction of business.

Vacancy.

Any vacancy occurring in said board from any cause may be filled for the remainder of the unexpired term by said town at any legal town meeting called for the purpose. Any such vacancy may be filled temporarily by a majority vote of the selectmen, and the person so appointed shall hold office until the town fills the vacancy in the manner specified herein.

Commissioners to fix water rates, etc.

SECTION 8. Said commissioners shall fix just and equitable prices and rates for the use of water and shall prescribe the time and manner of payment.

Income, how used.

The income of the water works shall be appropriated to defray all operating expenses, and interest charges and payments on the principal as they accrue on any bonds or notes issued for water supply purposes.

Net surplus, how used.

If there should be a net surplus remaining after providing for the aforesaid charges, it shall be appropriated for such new construction as the water commissioners, with the approval of the town, may determine upon, and in case a surplus should remain after the payment for such new construction, the water rates shall be reduced proportionately.

All authority vested in said commissioners by the foregoing provisions of this section and by section three shall be subject to the provisions of section seven.

Annual, etc., report to said town.

Said commissioners shall annually and as often as the said town may require, render a report upon the condition of the works under their charge and an accounting of their doings including an account of receipts and expenditures.

Penalty for polluting water.

SECTION 9. Whoever wilfully or wantonly corrupts, pollutes or diverts any of the waters taken or held under this act, or injures any structure, work or other property owned, held or used by said town of Southampton under the authority and for the purposes of this act, shall forfeit and pay to said town three times the amount of damages assessed therefor, to be recovered in an action of tort; and upon conviction of any one of the above wilful or wanton acts shall be punished by a fine of not more than three hundred dollars or by imprisonment for not more than one year.

Section 10. The town may purchase the properties of the Mountain Spring Water Company of Southampton, Massachusetts, at such amount as may be determined upon by the water commissioners as the fair value of the tangible property and shares outstanding, and in case of failure of the commissioners and company to agree, at such amount as may be determined by a board of three appraisers, one to be named by the board, one by the company, and the two thus chosen to select a third. Any sum awarded may be paid from the proceeds of loans issued under authority of this act.

Town may purchase properties of the Mountain Spring Water Company of Southampton, Massachusetts.

Section 11. This act shall take effect upon its acceptance by a majority of the voters of the town of Southampton present and voting thereon at a town meeting called for the purpose within three years after its passage; but the number of meetings so called in any year shall not exceed three; and, for the purpose only of being submitted to the voters of said town as aforesaid, this act shall take effect upon its passage. *Approved May 20, 1931.*

Submission to voters, etc.

An Act relative to the taking of the waters of Quinapoxet river and South Wachusett brook and their tributaries by the city of Worcester for water supply purposes. *Chap.* 340

Be it enacted, etc., as follows:

The first paragraph of section twelve of chapter three hundred and seventy-five of the acts of nineteen hundred and twenty-six is hereby amended by striking out, in the twelfth to fourteenth lines, inclusive, the words "near an elevation of seven hundred and eight feet above mean sea level at Boston, at or above the outlet of Quinapoxet pond" and inserting in place thereof the words: — above a point in said river between the confluence of Musquapoag brook, so-called, with said river and the northwesterly boundary of the highway running from Holden to Princeton, — by inserting after the word "but" in the twenty-first line the words: —, except as hereinafter provided, — and by inserting after the word "gallons" in the forty-second line the following new sentence: — If said city shall at any time, with the approval of the metropolitan district commission, take water in any calendar year in excess of an average quantity of ten million gallons per diem as herein authorized, said city shall pay to the commonwealth for the benefit of the metropolitan water district for the excess amount of water so taken at the rate of forty dollars per million gallons, — so that said paragraph will read as follows: — The city of Worcester is hereby authorized, for the purpose of meeting the requirements of said city for increasing its water supply and such requirements of adjacent and nearby towns now supplied or hereafter required to be supplied by said city, from time to time, to acquire by purchase or otherwise, or take by eminent domain in accordance with the procedure

1926, 375, § 12, par. 1, amended.

City of Worcester may acquire waters of South Wachusett brook and waters of Quinapoxet river in town of Holden, etc.

set forth in section five, and subject to the provisions thereof, and to hold and convey, directly or indirectly, into and through said city the waters of South Wachusett brook, so-called, and the waters of Quinapoxet river, so-called, in the town of Holden, at or above a point in said river between the confluence of Musquapoag brook, so-called, with said river and the northwesterly boundary of the highway running from Holden to Princeton, including the waters in any ponds or reservoirs thereon and the waters flowing directly or indirectly, into and from the same, and all springs and tributaries thereto, and the water rights connected with the aforesaid waters and sources above the places of taking; and the said city may take existing reservoirs and ponds upon said streams and their tributaries above the points at which it is authorized as aforesaid to take the said waters, but, except as hereinafter provided, the total supply herein authorized to be taken shall not exceed in any calendar year an average quantity of ten million gallons of water per diem, and the balance of the waters remaining, and also from time to time such part of the quantity of water herein authorized to be acquired and diverted as is not, in the opinion of the water commissioner of said city, needed for the supply of the water system of said city, shall be permitted to flow to the Wachusett reservoir of the metropolitan water system; provided, that if in the opinion of the metropolitan district commission, the needs of the metropolitan water system, pending the completion of the works necessary to divert the flood waters of the Ware river as authorized in section one, require that said amount herein authorized to be taken by the said city be reduced, the metropolitan district commission may, at any time and from time to time, reduce said amount to not less than an average quantity of five million gallons of water per diem. In case of such reduction the commonwealth on behalf of the metropolitan district shall pay the city of Worcester for the amount of water so withheld by such reduction at the rate of forty dollars per million gallons. If said city shall at any time, with the approval of the metropolitan district commission, take water in any calendar year in excess of an average quantity of ten million gallons per diem as herein authorized, said city shall pay to the commonwealth for the benefit of the metropolitan water district for the excess amount of water so taken at the rate of forty dollars per million gallons. The said city shall take such measures to protect and preserve the purity of the said waters and shall maintain such sanitary conditions relative thereto and in their respective watersheds as the state department of public health may require. Said city may by aqueduct or pipe line conduct the waters so taken, into the city directly or through any reservoir and any aqueduct or pipe line belonging to said city and now existing. The said city may, for the purposes aforesaid, construct, lay and maintain conduits, pipes, canals, water courses, dams, reservoirs and other works under or over lands, water courses,

Said city may take certain reservoirs and ponds, etc.

Total supply limited, etc.

Excess waters to be permitted to flow to Wachusett reservoir, etc.

Proviso.

Payment to Worcester upon reduction of supply, etc.

Payment to state for excess amount of water taken, etc.

Said city to protect purity of waters, etc.

Said city may conduct waters so taken, etc., may lay pipes, etc.

railroads, railways, public or private ways and along such ways, and may take by purchase or otherwise and hold in fee or otherwise any lands, dams or structures, easements or rights in land that may be deemed necessary for said purposes and for collecting, purifying, storing, discharging, conducting or distributing said waters or preserving the purity thereof. The water taken by said city under this section shall be measured in a manner approved by the metropolitan district commission which shall have at all reasonable times free access to any apparatus or device used for measuring the same and to the records thereof.

May take lands, structures, etc.

Measurement of water taken, etc.

Approved May 20, 1931.

An Act providing for the withdrawal of the consent of a parent or guardian to the marriage of his minor child or ward. *Chap.* 341

Be it enacted, etc., as follows:

Section thirty-three of chapter two hundred and seven of the General Laws, as amended by section two of chapter three hundred and five of the acts of nineteen hundred and twenty-three, is hereby further amended by adding at the end thereof the following: — Such certificate shall not be issued if a parent or guardian whose consent is required thereto has withdrawn such consent by a writing filed with the clerk or registrar, — so as to read as follows: — *Section 33.* The clerk or registrar shall not issue the certificate under section twenty-eight before the time therein specified, except as otherwise provided; nor to a male under twenty-one, or to a female under eighteen, when he has reasonable cause to believe the person to be under such age, except upon the application or consent in writing of the parent or guardian of such person or by order of the probate or district court under section twenty-five. If there is no parent or guardian in this commonwealth competent to act, a certificate may be issued without such application or consent. Such certificate shall not be issued if a parent or guardian whose consent is required thereto has withdrawn such consent by a writing filed with the clerk or registrar.

G. L. 207, § 33, etc., amended.

Certificate of intention of marriage not to be issued to certain minors, etc.

Withdrawal of consent of parent or guardian.

Approved May 20, 1931.

An Act providing for investigation and report by the department of public welfare in proceedings for the adoption of children under fourteen and requiring a trial residence period. *Chap.* 342

Be it enacted, etc., as follows:

Chapter two hundred and ten of the General Laws is hereby amended by inserting after section five the following new section: — *Section 5A.* Upon the filing of a petition for adoption of a child under the age of fourteen, notice shall be given to the department of public welfare which shall make

G. L. 210, new section after § 5.

Investigation and report by department of public welfare

in proceedings for adoption of children under fourteen.

appropriate inquiry to determine the condition and antecedents of the child for the purpose of ascertaining whether he is a proper subject for adoption, and to determine whether the petitioners and their home are suitable for the proper rearing of the child, due regard being given the race and religion of the child and of the petitioners. The department shall submit to the court not later than thirty days after receipt of such notice, or within such further time as the court may allow, such written report as will give the court full knowledge as to the desirability of the proposed adoption. The court may require such further investigation and report by the department as may be necessary. All reports submitted hereunder shall be filed separate and apart from the other papers in the case, and shall not at any time be open to inspection except by the parties and their attorneys, unless the court, for good cause shown, shall otherwise order. No decree shall be made upon such a petition until such report has been received, nor until the child shall have resided for not less than six months in the home of the petitioner; provided, that for good cause shown the court may, in its discretion, waive the requirement of residence. This section shall not apply in the case of a petition for adoption presented, sponsored or recommended by any charitable corporation organized under general or special laws of the commonwealth for the purpose of engaging in the care of children and principally so engaged. *Approved May 20, 1931.*

Trial residence period required.

Proviso.

Not applicable in certain cases.

Chap. 343 AN ACT AUTHORIZING THE CONSTRUCTION AND MAINTENANCE OF A FOOTBRIDGE OVER THE TIDE WATERS OF TOWN CREEK IN THE TOWN OF SANDWICH.

Be it enacted, etc., as follows:

Town of Sandwich may construct and maintain a footbridge over tide waters of Town creek.

SECTION 1. The town of Sandwich may construct and maintain a footbridge without a draw over the tide waters of Town creek in said town, subject to the provisions of chapter ninety-one of the General Laws.

SECTION 2. This act shall take effect upon its passage. *Approved May 21, 1931.*

Chap. 344 AN ACT AUTHORIZING THE REINSTATEMENT OF DELLA CLIFFORD AS A TEACHER IN THE PUBLIC SCHOOLS OF THE CITY OF LYNN.

Be it enacted, etc., as follows:

Reinstatement of Della Clifford as a teacher in the public schools of city of Lynn.

SECTION 1. The school committee of the city of Lynn is hereby authorized, upon the resignation of Della Clifford as a member of said committee, to reinstate said Clifford as a teacher in the public schools of said city, notwithstanding the provisions of its charter, to wit, — section twenty-five of chapter three hundred and forty of the Special Acts of nineteen hundred and seventeen, or of any other provision

of law rendering said Clifford ineligible for service in said schools during the term for which she was elected to serve on said committee.

Section 2. This act shall take effect upon its passage.

Approved May 21, 1931.

An Act to amend the law concerning the investment by savings banks in bonds of certain public utility companies. *Chap.* 345

Be it enacted, etc., as follows:

Section 1. Clause Sixth A of section fifty-four of chapter one hundred and sixty-eight of the General Laws, inserted by section one of chapter three hundred and fifty-one of the acts of nineteen hundred and twenty-six, is hereby amended by inserting after the word "gas" in the eleventh line the following: —, or in the sale or distribution, of natural gas supplied in substitution for or in mixture with artificial gas, but in no case shall the bonds of any company engaged in the sale or distribution of natural gas become a legal investment unless said company maintains at all times full facilities for the manufacture of artificial gas in quantities sufficient to supply the normal demand, — so that the first paragraph of said clause will read as follows: — In the bonds, maturing not later than thirty years subsequent to such investment, issued or assumed by any corporation incorporated under the laws of the United States or of any state thereof which is operating under the supervision of a public service or other similar commission of the United States or of any state thereof exercising regulatory jurisdiction therein and is engaged in the sale and distribution of electricity, or in such sale and distribution and also in some other form of public service enterprise, or in the manufacture and distribution of artificial gas, or in the sale or distribution, of natural gas supplied in substitution for or in mixture with artificial gas, but in no case shall the bonds of any company engaged in the sale or distribution of natural gas become a legal investment unless said company maintains at all times full facilities for the manufacture of artificial gas in quantities sufficient to supply the normal demand, and is doing at least eighty per cent of its business within the territorial limits of the United States; provided, that —

G. L. 168, § 54, cl. Sixth A, amended.

Investment by savings banks in securities of certain public service companies.

Section 2. Paragraph (1) of said clause Sixth A, inserted as aforesaid, is hereby amended by striking out, in the sixth line, the words "or artificial gas, or both" and inserting in place thereof the following: — , artificial gas and natural gas, or any one or more of them, — so as to read as follows: — (1) The gross operating revenue of the corporation issuing or assuming such bonds shall be not less than one million dollars for its fiscal year immediately preceding the time of making such investment, and of such revenue at least seventy-five per cent shall be derived from the sale and dis-

G. L. 168, § 54, cl. Sixth A, par. (1), amended.

Gross operating revenue, etc.

tribution of electricity, artificial gas and natural gas, or any one or more of them, and not exceeding twenty per cent from the operation of a transportation system.

G. L. 168, § 54, cl. Sixth A, par. (6), subdivision (*b*), amended.

SECTION 3. Subdivision (*b*) of paragraph (6) of said clause Sixth A, inserted as aforesaid, is hereby amended by striking out, in the third line, the word "prevent" and inserting in place thereof the words: — provide for, — and by striking out, in the fifth line, the words "unless such additional bonds are issued either" and inserting in place thereof the words: — only as follows: , — so as to read as follows: —

First mortgage bond, etc.

(*b*) a first mortgage bond constituting the only mortgage debt of such corporation. If such mortgage is not closed, it shall by its terms provide for the issuance of additional bonds for extensions, improvements and property acquisitions, only as follows: (1) for an amount not exceeding seventy-five per cent of the actual cost of such extensions, improvements and property acquisitions, when net earnings, available for interest charges, for twelve months out of the fifteen months preceding the application to the trustee under such mortgage for authentication of such additional bonds have been equal to at least one and three quarters times the interest charges for one year on the total amount of bonds outstanding under such mortgage and the proposed additional bonds, or (2) for an amount not exceeding eighty per cent of the actual cost of such extensions, improvements and property acquisitions, when net earnings, available for interest charges, for twelve months out of the fifteen months preceding the application to the trustee under such mortgage for authentication of such additional bonds have been equal to at least twice the interest charges for one year on the total amount of bonds outstanding under such mortgage and the proposed additional bonds; or

G. L. 168, § 54, cl. Sixth A, par. (6), subdivision (*c*), amended.

SECTION 4. Subdivision (*c*) of said paragraph (6) of said clause Sixth A, inserted as aforesaid, is hereby amended by striking out, in the fourteenth line, the word "prohibit" and inserting in place thereof the words: — provide for, — and by striking out, in the sixteenth line, the words "unless such additional bonds are issued", — so as to read as follows: —

Refunding mortgage bond, etc.

(*c*) a refunding mortgage bond providing for the retirement of all prior lien or divisional mortgage bonds of such corporation outstanding at the time of making the investment, such bond being secured by a lien on property owned and operated by such corporation; provided, that any mortgage prior in lien to such refunding mortgage shall be closed unless such prior mortgage remains open solely for the purpose of issuing additional bonds to be pledged under such refunding mortgage; and provided, further, that if a mortgage junior in lien to such refunding mortgage bond exists, such refunding mortgage bond shall by its terms be refunded by such junior mortgage; and provided, further, that in case such refunding mortgage is not closed it shall by its terms provide for the issue of additional bonds for extensions, improvements and property acquisitions by said corporation in accordance with

Provisos.

the provisions of subdivision (1) or (2) of paragraph (*b*) hereof, and shall further provide that the net earnings available for interest charges as therein stated shall respectively equal at least one and three quarters times or at least twice the interest charges for one year on the total amount of bonds outstanding under such mortgage, of bonds secured by equal or prior liens, and of the proposed additional bonds.

Approved May 21, 1931.

AN ACT TO AMEND THE LAW CONCERNING THE INVESTMENT BY SAVINGS BANKS IN BONDS OF CERTAIN RAILROAD COMPANIES. *Chap.* 346

Be it enacted, etc., as follows:

SECTION 1. Subdivision (*e*) of clause Third of section fifty-four of chapter one hundred and sixty-eight of the General Laws is hereby amended by striking out, in the fourth line, the word "ten" and inserting in place thereof the word: — five, — so that the paragraph contained in lines one hundred and forty-eight and one hundred and forty-nine, as printed in the General Laws, will read as follows: — Provided, that during each of the five fiscal years of such railroad corporation preceding the date of such investment — G. L. 168, § 54, cl. Third, subdivision (*e*), amended. Railroad bonds. Proviso.

SECTION 2. Subdivision (*f*) of said clause Third is hereby amended by striking out the paragraph contained in lines two hundred and twelve to two hundred and sixteen, inclusive, as so printed. G. L. 168, § 54, cl. Third, subdivision (*f*), amended.

SECTION 3. Paragraph (3) of subdivision (*g*) of said clause Third is hereby amended by striking out the paragraph contained in lines two hundred and fifty-eight to two hundred and sixty-four, inclusive, as so printed. G. L. 168, § 54, cl. Third, subdivision (*g*), par. (3), amended.

SECTION 4. Paragraph (4) of subdivision (*g*) of said clause Third is hereby amended by striking out the paragraphs contained in lines two hundred and seventy-five to two hundred and seventy-nine, inclusive, as so printed. G. L. 168, § 54, cl. Third, subdivision (*g*), par. (4), amended.

SECTION 5. Subdivision (*j*) of said clause Third is hereby amended by striking out, in the second line, the word "ten" and inserting in place thereof the word: — five, — so that the paragraph contained in lines three hundred and four to three hundred and eleven, inclusive, as so printed, will read as follows: — (*j*) First mortgage bonds of a railroad corporation which during each of its five fiscal years preceding the date of such investment has complied with all the requirements of paragraphs (2), (3) and (4) of subdivision (*e*), provided that said bonds are guaranteed by endorsement as to both principal and interest by a railroad corporation which has complied with all the requirements of subdivision (*e*) preceding paragraph (5), notwithstanding that the railroad of said issuing corporation is not operated by said guaranteeing corporation. G. L. 168, § 54, cl. Third, subdivision (*j*), amended. Guaranteed bonds of railroads not operated. Proviso.

SECTION 6. Subdivision (*m*) of said clause Third is hereby amended by striking out, in the third line, the word G. L. 168, § 54, cl. Third, subdivision (*m*), amended.

"ten" and inserting in place thereof the word: — five, — by striking out, in the same line, the word "five" and inserting in place thereof the word: — three, — and by striking out, in the fifteenth line, the word "ten" and inserting in place thereof the word: — five, — so that the paragraph contained in lines three hundred and thirty-six to three hundred and fifty-two, inclusive, as so printed, will read as follows: —

Credit of a corporation not to be lost by consolidation.

(*m*) If a railroad corporation which has complied with all the requirements of subdivision (*e*) preceding paragraph (5), except that the period of compliance is less than five, but not less than three successive years, shall be, or shall have been, thereupon consolidated or merged with, or its railroad purchased and all of the debts of such corporation assumed by, another railroad corporation incorporated under the laws of any of the United States, such corporation so succeeding shall be considered as having complied with all the provisions of subdivision (*e*) preceding paragraph (5) during those successive years preceding the date of such consolidation, merger or purchase in which all said consolidated, merged or purchased corporations, if considered as one continuous corporation in ownership and possession, would have so complied; provided, that said succeeding corporation shall continue so to comply for a further period which shall make such compliance equivalent to at least five successive years, but which shall be in no case less than the two fiscal years next following said consolidation, merger or purchase.

Proviso.

G. L. 168, § 54, cl. Third, subdivision (*o*), 3 paragraphs, repealed.

SECTION 7. All three paragraphs of subdivision (*o*) of said clause Third are hereby repealed.

Approved May 21, 1931.

Chap. 347 AN ACT AUTHORIZING THE CITY OF BOSTON TO BORROW MONEY FOR THE ERECTION OF A MUNICIPAL BUILDING IN THE CHARLESTOWN DISTRICT OF SAID CITY.

Be it enacted, etc., as follows:

City of Boston may borrow money for the erection of a municipal building in the Charlestown district of said city.

Charlestown Municipal Building Loan, Act of 1931.

SECTION 1. For the purpose of constructing a municipal building in the Charlestown district of the city of Boston, said city may borrow, outside the statutory limit of indebtedness, from time to time within a period of five years from the passage of this act, such sums as may be necessary, not exceeding, in the aggregate, two hundred and fifty thousand dollars, and may issue bonds or notes therefor which shall bear on their face the words, Charlestown Municipal Building Loan, Act of 1931. Each authorized issue shall constitute a separate loan, and such loans shall be paid in not more than ten years from their dates, but no loan shall be authorized under this act unless a sum equal to ten per cent of the loan so authorized is voted for the same purpose to be provided from taxes or other sources of revenue of the year when authorized. Any sum to be so raised by taxation shall be outside the tax limit as fixed for the city for the year in which the loan is authorized. Except as herein provided,

indebtedness incurred under this act shall be subject to the laws relative to the incurring of debt by said city.

Submission to city council, etc.

Section 2. This act shall take effect on its acceptance by vote of the city council of said city, subject to the provisions of its charter. *Approved May 21, 1931.*

An Act relative to the participation of local tents of the daughters of union veterans of the civil war in the municipal observance of memorial day and other patriotic holidays.

Chap. 348

Emergency preamble.

Whereas, The deferred operation of this act would, in part, defeat its purpose to make available its provisions for the observance of Memorial Day in the current year, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

G. L. 40, § 5, cl. (12), etc., amended.

Section five of chapter forty of the General Laws, as most recently amended by section two of chapter sixty-three of the acts of the current year, is hereby further amended by striking out clause (12) and inserting in place thereof the following: — (12) For erecting headstones or other monuments at the graves of persons who served in the war of the revolution, the war of eighteen hundred and twelve, the Seminole war, the Mexican war or the war of the rebellion or who served in the military or naval service of the United States in the Spanish American war or in the World war; for acquiring land by purchase or by eminent domain under chapter seventy-nine, purchasing, erecting, equipping or dedicating buildings, or constructing or dedicating other suitable memorials, for the purpose of properly commemorating the services and sacrifices of persons who served as aforesaid; for the decoration of the graves, monuments or other memorials of soldiers, sailors and marines who served in the army, navy or marine corps of the United States in time of war or insurrection and the proper observance of Memorial Day and other patriotic holidays under the auspices of the local posts of the Grand Army of the Republic, United Spanish War Veterans, The American Legion and the Veterans of Foreign Wars of the United States and under the auspices of the Kearsarge Association of Naval Veterans, Inc. and of local garrisons of the Army and Navy Union of the United States of America and of local chapters of the Massachusetts Society of the Sons of the American Revolution and of local detachments of the Marine Corps League, and of a local camp of the Sons of Union Veterans of the Civil War or a local tent of The Daughters of Union Veterans of the Civil War in the case of a town in which there is no post of the Grand Army of the Republic; or for keeping in repair graves, monuments or other memorials erected to the memory of such persons or of its firemen and policemen who died from injuries received in the performance of their duties in the

Cities and towns may appropriate money for decoration of soldiers' graves and for observance of Memorial Day and other patriotic holidays under auspices of certain war veterans' organizations, etc.

fire or police service or for decorating the graves of such firemen and policemen or for other memorial observances in their honor. Money appropriated in honor of such firemen may be paid over to, and expended for such purposes by, any veteran firemen's association or similar organization.

Approved May 22, 1931.

Chap. 349 AN ACT PERMANENTLY RELIEVING CITIES AND TOWNS OF ANY PART OF THE EXPENSE OF MAINTAINING AND REPAIRING STATE HIGHWAYS.

Be it enacted, etc., as follows:

G. L. 81, §§ 16 and 17, repealed.

Sections sixteen and seventeen of chapter eighty-one of the General Laws are hereby repealed.

(*This bill, returned by the governor to the senate, the branch in which it originated, with his objections thereto, was passed by the senate, May 20, 1931, and, in concurrence, by the house of representatives, May 22, 1931, the objections of the governor notwithstanding, in the manner prescribed by the constitution; and thereby has "the force of a law".*)

Chap. 350 AN ACT TRANSFERRING THE BUREAU OF CRIMINAL IDENTIFICATION FROM THE DEPARTMENT OF CORRECTION TO THE DEPARTMENT OF PUBLIC SAFETY.

Emergency preamble.

Whereas, The deferred operation of this act would tend to defeat its purpose, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

G. L. 147, new section after § 4.

Bureau of criminal identification in department of public safety.

SECTION 1. Chapter one hundred and forty-seven of the General Laws is hereby amended by inserting after section four the following new section: — *Section 4A*. The commissioner shall provide within the department for receiving, arranging and keeping proper means for the identification of criminals and for the furnishing of means of identification of criminals to police departments of cities and towns, to the department of correction and to prosecuting officers within the commonwealth. He may in his discretion furnish means of identification of criminals to proper officers in other states and in foreign countries. He may secure means of identification including measurements, photographs, finger prints and other means, so that known criminals may be identified in this commonwealth. The commissioner shall, on his own initiative, or upon request of the chief police officer of any city or town, or of any district attorney within the commonwealth, furnish to such chief police officer or district attorney such information as he has in his possession which may tend to assist in the identification of or apprehension of criminals.

Transfer of records.

SECTION 2. The commissioner of correction shall forthwith transfer to the department of public safety all records

now kept under the direction of, or in connection with, the work of the agent appointed by the commissioner of correction for the identification of criminals in accordance with the provisions of section twenty-four of chapter one hundred and twenty-seven of the General Laws. The said agent for the identification of criminals now serving in the department of correction, and his permanent clerical assistants, are hereby transferred to the department of public safety without impairment of their civil service status.

Transfer of agent for the identification of criminals and clerical assistants.

Section 3. Section four of chapter twenty-seven of the General Laws, as most recently amended by section eighty-eight of chapter three hundred and one of the acts of the current year, is hereby further amended by striking out the third sentence thereof.

G. L. 27, § 4, etc., amended.

Section 4. Chapter one hundred and twenty-seven of the General Laws is hereby amended by striking out section twenty-three of the said chapter and by inserting in place thereof the following: — *Section 23.* The officer in charge of a penal institution to which a person is committed under a sentence of imprisonment for larceny or any felony shall, unless the court otherwise orders, take or cause to be taken his name, age, height, weight, photograph and general description and copies of his finger prints in accordance with the finger print system of identification of criminals. The court may order to be taken the photograph and the aforesaid description and finger prints of a person convicted of a felony who is not committed to a penal institution. All such photographs and identifying matter shall be transmitted forthwith to the commissioner of public safety.

G. L. 127, § 23, amended.

Measurements and descriptions of persons for identification.

Transmission to commissioner of public safety.

Section 5. Section twenty-five of said chapter one hundred and twenty-seven is hereby amended by striking out the said section and by inserting in place thereof the following: — *Section 25.* Whenever the officer in charge of a prison, lockup or other place of detention has received a request from any authority, either by circular or otherwise, to assist in the apprehension of a fugitive from justice, such officer may take an exact description of any person committed to such prison or held in such lockup or other place of detention, and may include in such descriptions copies of the finger prints in accordance with the finger print system of identification. But said officer shall not take a description of a person who, he has reason to believe, is not a fugitive from justice. All descriptions so made shall be forthwith transmitted to the office of the commissioner of public safety.

G. L. 127, § 25, amended.

Measurements for identification of fugitives from justice.

Section 6. Section twenty-seven of said chapter one hundred and twenty-seven is hereby amended by striking out the said section and by inserting in place thereof the following: — *Section 27.* The district attorney who prosecuted such prisoners as are described in section twenty-three shall forward to the officer in charge of the prison to which he is sentenced the criminal history of each prisoner as shown upon the trial, upon blanks to be furnished by the commissioner of public safety.

G. L. 127, § 27, amended.

District attorney to furnish criminal history.

G. L. 127, § 28, amended.

SECTION 7. Section twenty-eight of said chapter one hundred and twenty-seven is hereby amended by striking out the said section and by inserting in place thereof the following: — *Section 28.* The warden of the state prison, the superintendents of the state prison colony, of the Massachusetts reformatory and of the reformatory for women, respectively, and the keepers of jails and houses of correction shall keep a record of such descriptions and finger prints and of the criminal history of prisoners so described and finger printed, as shown by the records of the courts of the commonwealth or of any other state or by any other official records which are accessible, and shall attach to the record, or file in such manner as to be readily found, a photograph of such prisoner.

Records of descriptions and finger prints and of criminal history of prisoners.

G. L. 127, § 29, amended.

SECTION 8. Said chapter one hundred and twenty-seven is hereby further amended by striking out section twenty-nine and inserting in place thereof the following: — *Section 29.* The record required by the preceding section shall not be published except so far as may be necessary for the identification of persons convicted of larceny or any felony after their release from prison; but the officer in charge of a prison shall exhibit the record to any person upon the order of a justice of the superior court or of a district attorney. A copy of the descriptions including copies of finger prints, photographs and criminal histories shall upon request be furnished by the officer in charge of any prison to the commissioner of public safety or to the principal officer of a prison in any other state which requires by law the finger printing and description of convicts and has provided for furnishing information concerning criminals to other states.

Publication of records.

G. L. 127, § 30, etc., amended.

SECTION 9. Said chapter one hundred and twenty-seven is hereby further amended by striking out section thirty, as amended by section one hundred and three of said chapter three hundred and one, and inserting in place thereof the following: — *Section 30.* No compensation shall be allowed to an officer for the performance of any services required by sections twenty-three to twenty-nine, inclusive, but he shall be reimbursed by the commonwealth for his actual traveling expenses incurred in the performance of any duties therein required.

No compensation to officers.

G. L. 127, §§ 24, 26 and 31, repealed.

SECTION 10. Sections twenty-four, twenty-six and thirty-one of said chapter one hundred and twenty-seven, as amended, are hereby repealed. *Approved May 26, 1931.*

Chap. 351 AN ACT AUTHORIZING FIRE DISTRICT NUMBER TWO IN THE TOWN OF SOUTH HADLEY TO BORROW MONEY FOR THE PURPOSE OF INCREASING ITS WATER SUPPLY, STORAGE AND DISTRIBUTION FACILITIES.

Be it enacted, etc., as follows:

Fire District Number Two in the Town of South Hadley may borrow money for the

SECTION 1. For the purpose of increasing its water supply, storage and distribution facilities, Fire District Number Two in the Town of South Hadley may borrow from time to time, within a period of five years from the passage

of this act, such sums as may be necessary, not exceeding, in the aggregate, thirty thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, South Hadley Fire District Number Two Water Loan, Act of 1931. Each authorized issue shall constitute a separate loan, and such loans shall be paid in not more than fifteen years from their dates. Indebtedness incurred hereunder shall, except as herein provided, be subject to the provisions of chapter forty-four of the General Laws.

purpose of increasing its water supply, etc.

South Hadley Fire District Number Two Water Loan, Act of 1931.

Section 2. This act shall take effect upon its passage.

Approved May 26, 1931.

An Act validating a certain vote of the town of Dennis to authorize its selectmen to act in other capacities and ratifying action of its selectmen in such capacities. *Chap.* 352

Be it enacted, etc., as follows:

Section 1. The vote of the town of Dennis at its annual meeting held March twentieth, nineteen hundred and twenty-three, authorizing its selectmen to act as assessors and overseers of the poor in said town, so far as such vote was invalid by reason of its failure to comply with the provisions of general laws in effect on said date, is hereby made valid and the acts of its selectmen acting as such board of public welfare and as assessors between said date and the passage of this act are hereby ratified and confirmed to the same extent as if they had been legally chosen to act as such officers and said selectmen shall continue to act as assessors and as the board of public welfare in said town and shall have all necessary powers therefor until such time as said town by vote in accordance with the provisions of general laws, otherwise determines.

A certain vote of the town of Dennis authorizing its selectmen to act in other capacities validated, and action of its selectmen in such capacities ratified.

Section 2. This act shall take effect upon its passage.

Approved May 26, 1931.

An Act authorizing the county of Middlesex to pay for medical attendance and hospital care on account of injuries sustained by probation officer Thomas L. Killion of the first district court of eastern Middlesex while in the performance of his duty. *Chap.* 353

Be it enacted, etc., as follows:

Section 1. For the purpose of discharging a moral obligation, the county of Middlesex may pay to Thomas L. Killion a sum not exceeding four hundred dollars to reimburse him for expenses of medical attendance and hospital care incurred by him on account of injuries sustained while in the performance of his duties as probation officer of the first district court of eastern Middlesex.

Middlesex county may pay for medical attendance, etc., on account of injuries sustained by probation officer Thomas L. Killion, etc.

Section 2. This act shall take effect upon its acceptance during the current year by the county commissioners of said county.

Submission to county commissioners, etc.

Approved May 26, 1931.

Chap. 354 AN ACT PROVIDING FOR A MESSENGER FOR THE COURT OF PROBATE AND INSOLVENCY FOR HAMPDEN COUNTY.

Be it enacted, etc., as follows:

G. L. 217, new section after § 32.

Messenger for court of probate and insolvency for Hampden county, salary, duties.

SECTION 1. Chapter two hundred and seventeen of the General Laws is hereby amended by inserting after section thirty-two the following new section: — *Section 32A.* The judge of probate for Hampden county may appoint a messenger for the court of probate and insolvency for said county, with salary payable by the county, may remove him at pleasure, and may fill a vacancy caused by removal or otherwise. Said messenger shall wait upon said court and perform such duties as the judge may direct, including duty as court officer. He shall, while in attendance on said court, wear a uniform, such as the court shall order.

Submission to Hampden county commissioners, etc.

SECTION 2. This act shall take effect upon its acceptance during the current year by the county commissioners of Hampden county, but not otherwise.

Approved May 26, 1931.

Chap. 355 AN ACT AUTHORIZING THE TOWN OF CHESTER TO TAKE OVER THE PROPERTIES AND ASSUME THE OBLIGATIONS OF THE CHESTER FIRE DISTRICT.

Be it enacted, etc., as follows:

Town of Chester may take over properties and assume obligations of Chester fire district.

SECTION 1. The town of Chester is hereby authorized to take over all the properties, rights, powers and privileges of the Chester fire district, as established by chapter one hundred and seventy-eight of the acts of eighteen hundred and ninety-four, and to assume all the duties and obligations of said district, and shall thereby become in all respects the lawful successor of said district.

Certain acts, suits, proceedings, etc., not affected.

SECTION 2. The provisions of this act shall not affect any act done, ratified or confirmed by the said district or any of its officers prior to the effective date of this act, nor any right accrued or established, nor any action, suit or proceeding commenced or had in a civil case, nor shall it impair the validity of any of the notes, bonds or other obligations of the said district outstanding on said date.

Engineers of fire district to continue to have charge of fire department until, etc.

Receipts, etc.

SECTION 3. The engineers of the fire district shall continue to have charge of the fire department until such time as their successors are appointed in accordance with general law. All receipts of the departments of the district taken over by the town shall be paid to the town treasurer, and all disbursements on account of said departments shall be made by the treasurer in the same manner as bills of other departments of the town.

Effective upon acceptance, etc.

SECTION 4. This act shall take effect upon its acceptance by a majority vote of the voters of the town of Chester present and voting thereon at its next annual town meeting; but for the purposes of such acceptance it shall take effect upon its passage. *Approved May 26, 1931.*

An Act relative to sales and takings of land for non-payment of local taxes. *Chap.* 356

Be it enacted, etc., as follows:

Section 1. Chapter sixty of the General Laws is hereby amended by striking out section forty-five and inserting in place thereof the following: — *Section 45.* The collector shall execute and deliver to the purchaser a deed of the land, stating the cause of sale, the price for which the land was sold, the name of the person on whom the demand for the tax was made, the places where the notices were posted, the name of the newspaper in which the advertisement of the sale was published, and the residence of the grantee, and shall contain a warranty that the sale has in all particulars been conducted according to law. The deed shall convey the land to the purchaser, subject to the right of redemption. The title thus conveyed shall, until redemption or until the right of redemption is foreclosed as hereinafter provided, be held as security for the repayment of the purchase price, with all intervening costs, terms imposed for redemption and charges, with interest thereon, and the premises conveyed shall also be subject to and have the benefit of all easements and restrictions lawfully existing in, upon or over said land or appurtenant thereto when so taken. Such deed shall not be valid unless recorded within thirty days after the sale. If so recorded it shall be prima facie evidence of all facts essential to the validity of the title thereby conveyed, whether the deed was executed on or before as well as since July first, nineteen hundred and fifteen. No sale hereafter made shall give to the purchaser any right to possession of the land until the expiration of two years after the date of the sale.

G. L. 60, § 45, amended.

Sale of land for non-payment of taxes, collector's deed, contents and effect.

Not valid unless recorded, etc.

Prima facie evidence, if recorded.

Section 2. Said chapter sixty, as amended in section fifty-four by section four of chapter two hundred and forty-one of the acts of nineteen hundred and twenty-five, is hereby further amended by striking out said section fifty-four and inserting in place thereof the following: — *Section 54.* The instrument of taking shall be under the hand and seal of the collector and shall contain a statement of the cause of taking, a substantially accurate description of each parcel of land taken, the name of the person to whom the same was assessed, the amount of the tax thereon, and the incidental expenses and costs to the date of taking. Such an instrument of taking shall not be valid unless recorded within thirty days of the date of taking. If so recorded it shall be prima facie evidence of all facts essential to the validity of the title so taken, whether the taking was made on or before as well as since July first, nineteen hundred and fifteen. Title to the land so taken shall thereupon vest in the town, subject to the right of redemption. Such title shall, until redemption or until the right of redemption is foreclosed as hereinafter provided, be held as security for the repayment of said taxes with all intervening costs, terms of redemption and charges, with interest thereon. *Approved May 26, 1931.*

G. L. 60, § 54, etc., amended.

Taking of land by collector for non-payment of taxes, form of instrument of taking, etc.

Not valid unless recorded, etc.

Prima facie evidence, if recorded.

Title of land taken to vest in town.

Title as security until, etc.

*Chap.*357 AN ACT RELATIVE TO THE SALE OR DELIVERY OF ADULTERATED SHELLFISH.

Be it enacted, etc., as follows:

G. L. 94, new section after § 194.

Sale or delivery of adulterated shellfish.

Chapter ninety-four of the General Laws is hereby amended by inserting after section one hundred and ninety-four the following new section: — *Section 194A.* In any prosecution in which it is alleged that the defendant for pay or otherwise delivered or offered to deliver to any person shellfish which are adulterated within the meaning of clause sixth of section one hundred and eighty-six, or however otherwise the offence may be described, it shall be a defense if the defendant shows that such shellfish were taken from an area not designated as contaminated by the department of public health or have passed a shellfish treatment plant approved by said department unless it appears from all the evidence that he knew or ought to have known of such adulteration or that he caused or contributed to the same.

Approved May 26, 1931.

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*Chap.*358 AN ACT EXTENDING THE PROVISIONS OF LAW RELATIVE TO THE EXAMINATION OF MENTALLY RETARDED CHILDREN.

Be it enacted, etc., as follows:

G. L. 71, § 46, etc., amended.

Instruction and examination of mentally retarded children.

Chapter seventy-one of the General Laws, as amended in section forty-six by chapter two hundred and thirty-one of the acts of nineteen hundred and twenty-two, is hereby further amended by striking out said section and inserting in place thereof the following: — *Section 46.* The school committee of every town shall annually ascertain, under regulations prescribed by the department and the department of mental diseases, the number of children three years or more retarded in mental development in attendance upon its public schools, or of school age and resident therein. At the beginning of each school year, the committee of every town where there are ten or more such children shall establish special classes for their instruction according to their mental attainments, under regulations prescribed by the department. A child appearing to be mentally retarded in any less degree may, upon request of the superintendent of schools of the town where he attends school, be examined under such regulations as may be prescribed by the department and the department of mental diseases. No child under the control of the department of public welfare or of the child welfare division of the institutions department of the city of Boston, who is three years or more retarded in mental development within the meaning of this section, shall, after complaint made by the school committee to the department of public welfare or said division, be placed in a town which is not required to maintain a special class as provided for in this section.

Restrictions as to certain children under control of department of public welfare, etc.

Approved May 26, 1931.

An Act relating to the search and seizure of intoxicating liquors in a dwelling without a search warrant. *Chap.* 359

Be it enacted, etc., as follows:

G. L. 138, new section after § 64.

Penalty for search and seizure of intoxicating liquors in a dwelling without a search warrant.

Chapter one hundred and thirty-eight of the General Laws is hereby amended by inserting after section sixty-four the following new section: — *Section 64A.* A sheriff, deputy sheriff, city marshal, chief of police, deputy chief of police, deputy or assistant marshal, police officer or constable who, without a search warrant duly committed to him, searches for or seizes intoxicating liquor in a dwelling shall be punished by a fine of not less than five nor more than fifty dollars.

Approved May 26, 1931.

An Act safeguarding the rights of persons in the classified civil service in respect to separation therefrom. *Chap.* 360

Be it enacted, etc., as follows:

G. L. 31, new section after § 46A.

Rights of persons in the classified civil service in respect to separation therefrom, safeguarded.

Chapter thirty-one of the General Laws is hereby amended by inserting after section forty-six A, inserted by chapter two hundred and forty-three of the acts of nineteen hundred and thirty, the following new section: — *Section 46B.* Upon receipt of notice from an appointing officer or of other information that a person in the classified civil service has become separated therefrom through no fault or delinquency of his own, the commissioner shall forthwith give notice of the fact of such separation to such person by registered mail and shall set forth in said notice the manner, means and methods whereby such person may be reinstated in such service or his civil service status and rights preserved.

Approved May 26, 1931.

An Act abolishing the schoolhouse building commission in the city of Medford. *Chap.* 361

Be it enacted, etc., as follows:

Schoolhouse building commission in city of Medford abolished.

Section 1. Chapter four hundred and five of the acts of nineteen hundred and twenty-one, as amended by chapter two hundred and sixty-six of the acts of nineteen hundred and twenty-seven, creating a schoolhouse building commission for the city of Medford is hereby repealed. Upon the taking effect of this act, the powers and duties vested in said commission shall be exercised and performed by the boards or officers which exercised and performed such powers and duties immediately prior to the taking effect of said chapter four hundred and five, and the repeal of said chapter by this act shall not thereby render illegal any act done or contract entered into by said commission.

Submission to voters, etc.

Section 2. This act shall be submitted for acceptance to the registered voters of said city at its biennial election in

the current year in the form of the following question which shall be printed on the official ballot to be used at said election: — "Shall an act passed by the general court in the year nineteen hundred and thirty-one, entitled 'An Act abolishing the Schoolhouse Building Commission in the City of Medford', be accepted?" If a majority of the voters voting thereon vote in the affirmative in answer to said question, this act shall thereupon take effect, but not otherwise. *Approved May 26, 1931.*

Chap. 362 AN ACT PROVIDING FOR THE BUILDING OF SIDEWALKS AND UNDERPASSES IN CONNECTION WITH THE CONSTRUCTION OF A TRAFFIC CIRCLE AT THE INTERSECTION OF CHARLES AND CAMBRIDGE STREETS IN THE CITY OF BOSTON.

Be it enacted, etc., as follows:

1924, 444, new section at end thereof.

Building of sidewalks and underpasses in connection with construction of a traffic circle at the intersection of Charles and Cambridge streets in the city of Boston.

Chapter four hundred and forty-four of the acts of nineteen hundred and twenty-four is hereby amended by adding at the end thereof the following new section: — *Section 7.* Upon certification by the commission that in its opinion the amount certified has been properly expended by the city of Boston for the construction of sidewalks upon the central portion of the traffic circle under construction at the intersection of Charles street and Cambridge street in the city of Boston upon which the entrance to said station will be located, and for the construction of underpasses whereby pedestrians may cross beneath the roadways around the same, the state treasurer shall pay to said city the sums from time to time so certified from the proceeds of bonds issued under the preceding section to an amount not exceeding in all fifty thousand dollars. Any sidewalks and underpasses so constructed shall not in any way be deemed to be a part of said station nor shall the company be responsible in any way at any time for the cleaning, repair, maintenance, policing, upkeep or condition thereof, or otherwise in reference thereto. *Approved May 26, 1931.*

Chap. 363 AN ACT RELATIVE TO THE PRINTING OF THE RULES OF THE SUPERIOR COURT AND THE DISPOSAL OF COPIES THEREOF.

Be it enacted, etc., as follows:

G. L. 212, new section after § 28.

Printing of rules of superior court.

Disposal of copies.

Chapter two hundred and twelve of the General Laws is hereby amended by inserting after section twenty-eight the following new section: — *Section 28A.* In printing copies of rules of the court at the expense of the commonwealth under section twenty-eight, there may be included such notes and annotations, if any, as shall be directed by vote of the justices. Copies of general revisions of the rules not otherwise disposed of may be sold to the general public at such price per copy as shall be fixed by vote of the justices, which price may be less than, but shall not exceed, the cost of printing, binding and paper. Copies intended for sale shall be transmitted, under the direction of the chief justice, to the

several clerks of the courts and to each clerk of the superior court in Suffolk county, and shall be placed on sale by them at the price so fixed. Each such clerk shall, in January, April, July and October in each year, pay into the state treasury all sums received from the sale of such copies during the preceding quarter and shall also in said months report in writing to the chief justice the number of such copies sold during the preceding quarter and the number remaining on hand at the end thereof. *Approved May 26, 1931.*

An Act providing for the enforcement, by attachment and execution, of orders of the probate court requiring parents to contribute toward the support of their minor children under guardianship. *Chap.* 364

Be it enacted, etc., as follows:

Section forty of chapter two hundred and one of the General Laws is hereby amended by inserting after the word "reasonable" in the sixth line the words: —, and may issue process of attachment and execution on the property of the parents or either of them, and sections thirteen and fourteen of chapter two hundred and eight shall apply thereto so far as appropriate, — so as to read as follows: — *Section 40.* The probate court may, upon the petition of a guardian entitled to the custody of his minor ward, during the lifetime of either or both of his parents, and after notice to all parties interested, order and require said parents or either of them to contribute to the support and maintenance of such minor in such amounts and at such times as it determines are just and reasonable, and may issue process of attachment and execution on the property of the parents or either of them, and sections thirteen and fourteen of chapter two hundred and eight shall apply thereto so far as appropriate. Such parent or parents may be required to give a bond conditioned to comply with such order and payable to the judge of said court and his successors in such sum and with such sureties as the court orders. The court may from time to time, upon application of either party, revise or alter such order or make such new order or decree as the circumstances of the parents or the benefit of the minor may require. *Approved May 26, 1931.*

G. L. 201, § 40, amended.

Court order requiring support of minor child by parents.

Enforcement by attachment and execution.

An Act regulating the temporary suspension by cooperative banks, in certain cases, of payments on shares pledged for real estate loans. *Chap.* 365

Whereas, The deferred operation of this act would, in part, defeat its purpose, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Emergency preamble.

Be it enacted, etc., as follows:

Section 1. Chapter one hundred and seventy of the General Laws is hereby amended by striking out section

G. L. 170, § 33, amended.

thirty-three and inserting in place thereof the following: — *Section 33.* For the accommodation of any owner of shares pledged for a real estate loan who is actually engaged in the military or naval service of the United States, or who is the wife or a dependent member of the family of a person so engaged, or for the accommodation of any owner of shares so pledged who is otherwise temporarily unable to make payments to such a corporation on account of his loan because of unemployment or other emergency, the directors may cause to be endorsed on the mortgage note held by the corporation the full value of the shares pledged to secure the same, less such sum as will leave the amount of the balance due thereon a multiple of fifty dollars, and thereupon such shares shall be cancelled and further payments and fines thereon waived, and the balance due as aforesaid shall be payable as provided in section thirty-four, with interest payable monthly at the original rate and subject to such fine as may be prescribed by the by-laws of the corporation for default by shareholders in payment of interest and to foreclosure or other remedy provided by law, in case of default; provided, that the person seeking such accommodation, or any person in his behalf, shall sign a written request therefor, stating his reasons and agreeing in consideration thereof to abide fully by the terms of this and the following section and also all requirements of the directors, who shall be the sole judges of the necessity of the accommodation and the time when such accommodation shall be terminated, and provided, further, that no suspension of payments as aforesaid for any cause other than that the accommodated party is engaged in the military or naval service of the United States or is the wife or a dependent member of the family of a person so engaged shall extend for a period longer than two years.

Co-operative banks may suspend temporarily, in certain cases, payments on shares pledged for real estate loans.

Provisos.

Neither note evidencing loan nor mortgage securing same shall be prejudiced by application of value of shares, etc.

Neither the note evidencing the loan nor the mortgage securing the same shall be prejudiced by the application of the value of the shares provided for in this section or the pledging of new shares provided for in section thirty-four, notwithstanding the fact that a provision for such application and pledging was not originally made in the note or mortgage, and both note and mortgage shall continue to be held by the corporation as good and sufficient security for the balance remaining unpaid.

G. L. 170, § 34, amended.

Accommodated persons to make certain subscriptions and pledges after expiration of period of accommodation, etc.

SECTION 2. Said chapter one hundred and seventy is hereby further amended by striking out section thirty-four and inserting in place thereof the following: — *Section 34.* The person thus accommodated, or his successors in title, may at any time, and shall upon the request of the directors at any time after the expiration of said military or naval service or after the period of accommodation granted under the preceding section for temporary inability to make the required payments has been terminated as therein provided, or after the vesting in either case of the mortgaged estate in a person other than the person accommodated, subscribe to and pledge as security for the balance due on the loan one

new share in the current series issued by the corporation for each two hundred dollars or fraction thereof of said balance. Failure to subscribe to and pledge such shares, when so requested, or to make payments thereon in accordance with law or the by-laws of the corporation, shall render said balance immediately due and payable, and payment thereof may be enforced against the security by foreclosure proceedings or by any other remedy provided by law for the collection of debts. The fact of the pledging of new shares shall be endorsed upon or attached to the note in the following form:

Form of pledging of new shares.

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The value of the shares formerly pledged herein, less such sum as left the amount of the loan a multiple of fifty dollars, amounting to $ having been applied on the day of as a credit upon this note, leaving a balance due and unpaid of $ to secure which shares of series have been issued, and are hereby transferred and pledged. For value received, I promise to pay to said corporation or to its order dollars at or before its monthly meeting on the day of each month hereafter, being the amount of the monthly dues on the shares hereby substituted, and of the monthly interest upon said balance of $, together with all fines chargeable by the by-laws of said corporation upon arrears of such payments until said substituted shares shall reach maturity, or otherwise sooner to pay to said corporation or its order the said balance of $, with interest and fines as aforesaid.

Witness,

(Signature)

Approved

Treasurer.

Section 3. Section thirty-five of said chapter one hundred and seventy is hereby repealed. G. L. 170, § 35, repealed.

Section 4. No action under said section thirty-three or thirty-four shall affect the rights of the holder of any mortgage, other than the corporation granting the accommodation, which has been recorded prior to the effective date of this act, unless the written assent of such holder shall be obtained, nor shall any such action affect the rights of an original borrower whose note is dated prior to said effective date unless his written assent shall be obtained. Certain rights not affected.

Approved May 27, 1931.

An Act amending the law relating to the taxation of certain domestic business corporations dealing exclusively in securities. *Chap.* 366

Whereas, The deferred operation of this act would tend to defeat its purpose, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience. Emergency preamble.

Be it enacted, etc., as follows:

Section 1. Section thirty-eight B of chapter sixty-three of the General Laws, inserted by section one of chapter three hundred and fifty-nine of the acts of nineteen hundred and twenty-nine, is hereby amended by adding at the end of clause G. L. 63, § 38 B, amended.

(*a*) the following: — ; provided, that the corporation shall receive a deduction on account of interest paid, in the same manner and to the same extent that a natural person is entitled to receive such a deduction under sections two and three of said chapter sixty-two, — and by striking out in the thirty-first and thirty-second lines the words ", nor less than an excise upon its net income at the rate assessed upon financial corporations", — so as to read as follows: — *Section 38B.* Every domestic business corporation, which is engaged exclusively in buying, selling, dealing in, or holding, securities on its own behalf and not as a broker, shall pay annually an excise equal to the sum of the following and such a corporation shall not be subject to the excise imposed by section thirty-two:

Taxation of certain domestic business corporations dealing exclusively in securities.

(*a*) An amount equal to six per cent of such income, received by the corporation during the preceding calendar year, as would be subject to taxation under section one of chapter sixty-two, if received by a natural person resident in this commonwealth; provided, that the corporation shall receive a deduction on account of interest paid, in the same manner and to the same extent that a natural person is entitled to receive such a deduction under sections two and three of said chapter sixty-two.

(*b*) An amount equal to one and one half per cent of such income, received by the corporation during the preceding calendar year, as would be subject to taxation under clause (*b*) of section five of said chapter sixty-two, if received by a natural person resident in this commonwealth, the same to be computed in accordance with the provisions of section six of said chapter sixty-two, so far as applicable, but without deducting any exemption under authority of said clause (*b*) and without making any deduction under clause (*g*) or (*h*) of said section six.

(*c*) An amount equal to three per cent of the excess of the gains over the losses received by the corporation during the preceding calendar year from purchases or sales of intangible personal property.

Minimum amount of total excise, etc.

But in no event shall the total excise so payable by such a corporation be less in amount than one twentieth of one per cent of the fair value of its capital stock on the last day of the taxable year as defined in paragraph numbered six of section thirty.

Filing of return for determination of excise, etc.

Such a corporation shall annually on or before April tenth, file a return in such form as the commissioner shall prescribe giving such information as he shall require for determination of the excise under this section. The commissioner shall assess and collect said excise, and all provisions of this chapter relative to the assessment, collection, payment, abatement, verification and administration of the excise imposed by said section thirty-two, including penalties, shall, so far as pertinent, be applicable to the excise determined under this section.

Assessment and collection.

Effective date.

SECTION 2. This act shall take effect as of January first, nineteen hundred and thirty-one, and shall apply to taxes assessed in said year, and thereafter.

Approved May 27, 1931.

An Act relative to the payment of the claim of Olive P. Gately against the City of Boston. *Chap.*367

Be it enacted, etc., as follows:

1921, 414, § 2, etc., amended.

Section two of chapter four hundred and fourteen of the acts of nineteen hundred and twenty-one, as amended by chapter three hundred and fifty-nine of the acts of nineteen hundred and thirty, is hereby further amended by striking out all after the word "charter" in the third line, — so as to read as follows: — *Section 2.* This act shall take effect upon its acceptance by vote of the city council of said city, subject to the provisions of its charter. *Approved May 27, 1931.*

Claim of Olive P. Gately against city of Boston, submission to city council.

An Act authorizing the sale of certain land held by the Commonwealth in the city of Worcester and in the town of Leicester for military purposes and no longer needed therefor. *Chap.*368

Be it enacted, etc., as follows:

Sale of certain land held by state in city of Worcester and in town of Leicester no longer needed for military purposes.

Section 1. The armory commissioners and the commission on administration and finance, acting as a joint board, are hereby authorized, subject to the approval of the governor, to sell and convey the property owned by the commonwealth in the city of Worcester and in the town of Leicester and known as Battery B Farm and which is no longer needed for military purposes.

Intention to sell to be advertised.

Section 2. Such land shall be sold only after the intention to sell is advertised once in each of three successive weeks preceding the date of such proposed sale, in a newspaper published in the city of Worcester, and only after the receipt of sealed bids opened in public. Such land shall be conveyed upon payment to the state treasurer of the purchase price, and there shall be included in the deed a statement that the provisions of this act have been complied with. *Approved May 27, 1931.*

Sealed bids.

Conveyance, etc.

An Act authorizing the city of Worcester and the town of Paxton to enter into contracts for the purchase and sale of water for municipal water supply purposes. *Chap.*369

Be it enacted, etc., as follows:

City of Worcester and town of Paxton may enter into contracts for purchase and sale of water for municipal water supply purposes.

Section 1. The town of Paxton may purchase water from or sell water to the city of Worcester and said city may purchase water from or sell water to said town upon such terms and conditions as may be agreed upon by the boards of water commissioners of said city and said town. The said boards of water commissioners may, by written contract, agree upon the quantity of water to be supplied, the method of measurement of the same, and the price to be paid therefor, and all matters incidental thereto; and such a contract when duly executed by authority of said boards

shall be binding upon the city of Worcester and the town of Paxton for such time as the said boards may agree upon.

SECTION 2. This act shall take effect upon its passage.

Approved May 28, 1931.

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*Chap.*370 AN ACT AUTHORIZING THE CITY OF WALTHAM TO BORROW MONEY FOR SCHOOL PURPOSES.

Be it enacted, etc., as follows:

City of Waltham may borrow money for school purposes.

SECTION 1. For the purpose of constructing elementary school buildings, and/or additions to existing elementary school buildings where such additions increase the floor space of said buildings, and originally equipping and furnishing such new buildings and/or additions, and/or acquiring land for school purposes, the city of Waltham may borrow from time to time, within a period of five years from the passage of this act, such sums as may be necessary, not exceeding, in the aggregate, two hundred thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Waltham School Loan, Act of 1931. Each authorized issue shall constitute a separate loan, and such loans shall be paid in not more than fifteen years from their dates, but no issue shall be authorized under this act unless a sum equal to an amount not less than ten per cent of such authorized issue is voted for the same purpose to be raised by the tax levy of the year when authorized. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall, except as provided herein, be subject to chapter forty-four of the General Laws, exclusive of the limitation contained in the first paragraph of section seven thereof, as revised by chapter three hundred and twenty-four of the acts of nineteen hundred and twenty-eight.

Waltham School Loan, Act of 1931.

SECTION 2. This act shall take effect upon its passage.

Approved May 28, 1931.

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*Chap.*371 AN ACT REVIVING MEIGS & CO. INCORPORATED.

Emergency preamble.

Whereas, The deferred operation of this act would in part defeat its purpose, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

Meigs & Co. Incorporated, revived.

Meigs & Co. Incorporated, a corporation dissolved by chapter two hundred and thirty-eight of the acts of nineteen hundred and twenty-six, is hereby revived with the same powers, duties and obligations as if said chapter had not been passed; and all acts and proceedings of the officers, directors and stockholders of said corporation acting as such which would be legal and valid but for the passing of said chapter are hereby ratified and confirmed.

Approved May 28, 1931.

An Act relative to the rate of pay for scrub women employed by the superintendent of buildings. *Chap.* 372

Be it enacted, etc., as follows:

Chapter eight of the General Laws, as most recently amended in section five by section fifty-three of chapter three hundred and one of the acts of nineteen hundred and thirty-one, is hereby further amended by striking out said section five and inserting in place thereof the following: — G. L. 8, § 5, etc., amended.

Section 5. The pay of scrub women employed by the commonwealth shall be based upon a regular weekly rate of eighteen dollars for thirty-three hours' work. When time is lost or a greater number of hours are worked by them than the aforesaid thirty-three hours, the resulting reductions or additions shall be based upon an hourly rate of fifty-five cents, and they shall be allowed for time off on legal holidays at the regular weekly rate. Scrub women or cleaners regularly employed by the superintendent of buildings shall be paid weekly, and when so employed for a period of at least six months shall be entitled to a vacation each year of two weeks' duration with pay. Such pay shall be based upon the average weekly compensation received by them for the preceding six months' period of employment. Rate of pay for scrub women employed by the superintendent of buildings.

Approved May 28, 1931.

An Act providing for necessary additions at the Essex county tuberculosis hospital. *Chap.* 373

Be it enacted, etc., as follows:

Section 1. Subject to the approval of the department of public health, the county commissioners of Essex county, acting as trustees of the Essex county tuberculosis hospital district, may expend a sum not exceeding one hundred thousand dollars for the purpose of constructing and of originally furnishing and equipping additions to the Essex county tuberculosis hospital in order to accommodate additional patients and employees and the more effectively to care for its present patients and employees. Essex county commissioners may expend a certain sum for necessary additions at the Essex county tuberculosis hospital.

Section 2. For the purposes aforesaid, the treasurer of said county, with the approval of the said county commissioners, may borrow by a temporary loan or loans, on the credit of the county, such sums, not exceeding said amount, as may from time to time be required to meet costs and expenditures incurred under this act, including interest, and may issue notes of the county therefor, which notes may be discounted, such discount to be treated as interest paid in advance. Said notes may be sold at public or private sale as said county treasurer and commissioners may deem proper and may be renewed from time to time for such periods as may be necessary. All money so borrowed shall be deposited in the county treasury, and the county treas- County treasurer may borrow money, issue notes, etc.

urer shall pay out the same as ordered by the county commissioners and shall keep a separate account of all moneys so borrowed and expended.

Filing of actual cost and expenses, etc.

SECTION 3. From time to time and upon the completion of the work herein provided for, said county commissioners shall file in the office of the clerk of the courts for said county a detailed statement, certified under their hands, of the actual cost and expenses incurred in doing the said work, and shall assess said cost and expenses upon the cities and towns of said county constituting the said hospital district, in accordance with section eighty-three of chapter one hundred and eleven of the General Laws, and such cities and towns may provide for the payment of said assessments by direct taxation or by borrowing as authorized by said chapter one hundred and eleven for paying assessments levied for the construction of tuberculosis hospitals. The proceeds of such assessments shall be applied to the payment of the temporary loans under section two.

Assessment upon cities and towns of county constituting hospital district, etc.

Effective upon acceptance, etc.

SECTION 4. This act shall take effect upon its acceptance, during the current year, by the county commissioners of the county of Essex, but not otherwise.

Approved May 28, 1931.

Chap. 374 AN ACT INCREASING THE PENALTY FOR FRAUDULENTLY PROCURING ENTERTAINMENT AT AN INN OR BOARDING HOUSE.

Be it enacted, etc., as follows:

G. L. 140, § 12, amended.

Section twelve of chapter one hundred and forty of the General Laws is hereby amended by striking out, in the tenth line, the word "fifty" and inserting in place thereof the words: — two hundred, — and by striking out, in the eleventh line, the words "three months" and inserting in place thereof the words: — one year, — so as to read as follows: — *Section 12.* Whoever puts up at an inn or boarding house and, without having an express agreement for credit, procures food, entertainment or accommodation without paying therefor, and with intent to cheat or defraud the owner or keeper thereof; or, with such intent, obtains credit at an inn or boarding house for such food, entertainment or accommodation by means of any false show of baggage or effects brought thereto; or, with such intent, removes or causes to be removed any baggage or effects from an inn or boarding house while a lien exists thereon for the proper charges due from him for fare and board furnished therein, shall be punished by a fine of not more than two hundred dollars or by imprisonment for not more than one year.

Penalty for fraudulently procuring entertainment at an inn or boarding house.

Approved May 29, 1931.

An Act authorizing the sale of certain land and buildings owned by the commonwealth in the city of Worcester now occupied by the state normal school in said city. *Chap.* 375

Be it enacted, etc., as follows:

Section 1. The department of education and the commission on administration and finance, acting as a joint board, are hereby authorized, subject to the approval of the governor, to sell and convey the land and buildings now occupied by the state normal school at Worcester. Sale of certain land and buildings owned by state in city of Worcester now occupied by state normal school.

Section 2. The said property may be sold in whole or in part, but only after the intention to sell is advertised once in each of three successive weeks preceding the date of such proposed sale, in a newspaper published in the city of Worcester, and only after the receipt of sealed bids opened in public. Said property shall be conveyed upon payment to the state treasurer of the purchase price, and there shall be included in the deed a statement that the provisions of this act have been complied with. Intention to sell to be advertised. Sealed bids. Conveyance, etc.

Approved May 29, 1931.

An Act regulating newspaper advertisements of children offered or wanted for adoption. *Chap.* 376

Be it enacted, etc., as follows:

Chapter two hundred and ten of the General Laws is hereby amended by inserting after section eleven the following new section: — *Section 11A.* No person shall cause to be published in a newspaper circulated in the commonwealth an advertisement or notice of a child offered or wanted for adoption without first obtaining the written approval of the department of public welfare to such advertisement or notice and stating therein the fact of such approval. Violation of this section shall be punished by a fine of not less than ten or more than one hundred dollars. G. L. 210, new section after § 11. Newspaper advertisements of children offered or wanted for adoption, regulated.

Approved May 29, 1931.

An Act relative to preference of veterans and citizens in the construction, addition to and alteration of certain public works. *Chap.* 377

Be it enacted, etc., as follows:

Chapter one hundred and forty-nine of the General Laws is hereby amended by striking out section twenty-six and inserting in place thereof the following section: — *Section 26.* In the employment of mechanics, teamsters and laborers in the construction, addition to and alteration of public works by the commonwealth, or by a county, town or district, or by persons contracting therewith for such construction, addition to and alteration of public works, preference shall first be given to citizens of the commonwealth who have G. L. 149, § 26, amended. Preference to veterans and citizens in the construction, addition to and alteration of certain public works.

served in the army or navy of the United States in time of war and have been honorably discharged therefrom or released from active duty therein, and who are qualified to perform the work to which the employment relates; and secondly, to citizens of the commonwealth generally, and, if they cannot be obtained in sufficient numbers, then to citizens of the United States, and every contract for such work shall contain a provision to this effect. The wages for a day's work paid to mechanics and teamsters employed in the construction, addition to or alteration of public works as aforesaid shall be not less than the customary and prevailing rate of wages for a day's work in the same trade or occupation in the locality where such public works are under construction or being added to or altered; provided, that no town in the construction, addition to or alteration of public works shall be required to give preference to veterans, not residents of such town, over citizens thereof. This section shall also apply to regular employees of the commonwealth or of a county, town or district when such employees are employed in the construction, addition to and alteration of public works for which special appropriations are provided. Any person or contractor who knowingly and wilfully violates this section shall be punished by a fine of not more than one hundred dollars.

Proviso.

Penalty.

Approved June 2, 1931.

Chap. 378 An Act relative to the rights and benefits of members of the state retirement association while receiving from the commonwealth workmen's compensation payments.

Be it enacted, etc., as follows:

G. L. 32, § 1, etc., amended.

Section 1. Section one of chapter thirty-two of the General Laws, as amended by section one of chapter three hundred and forty-one of the acts of nineteen hundred and twenty-two, is hereby further amended by inserting after the word "years" in the twenty-seventh line the words: — or a period of absence as specified in paragraph G of section five, — so that the paragraph defining "continuous service" will read as follows: — The words "continuous service" shall mean uninterrupted employment, but a lay-off on account of illness or reduction of force, and a leave of absence, suspension or dismissal, followed by reinstatement within two years or a period of absence as specified in paragraph G of section five shall not be considered as breaking the continuity of service; provided, that in the case of employees engaged in the military or naval service of the United States or of nations associated with the United States in the world war such reinstatement may occur at any time within two years after discharge from such service or release from active duty therein. As to appointees of the sergeant-at-arms the interval between sessions of the general court

State retirement system.

"Continuous service", defined.

Proviso.

shall not be considered as breaking the continuity of service. Engineers and inspectors in the intermittent service of the commonwealth shall not lose the benefit of continuity of service in the intervals between employments, and for the purpose of computation, cumulative credit shall be given them for all periods of employment in the service of the commonwealth as shown by the records of the division of civil service.

G. L. 32, § 5, etc., amended.

Section 2. Section five of said chapter thirty-two, as most recently amended by section three of chapter three hundred and thirty-five of the acts of nineteen hundred and thirty, is hereby further amended by adding at the end thereof the following new paragraph: — G. Any member of the association during the entire period of time while receiving from the commonwealth weekly compensation payments for total incapacity under sections sixty-nine to seventy-five, inclusive, of chapter one hundred and fifty-two, or during any period, computed as hereinafter provided, to cover a lump sum payment from the commonwealth in lieu of compensation aforesaid and also during a further period not exceeding thirty days shall, so long as his account is not withdrawn from the annuity fund, be treated in all respects as a contributing member, except as to liability to contribute to the annuity fund and except that such a member who attains age seventy prior to the date of termination of the actual or computed period of compensation payments shall not be treated as such a member beyond the date of termination aforesaid. Such a member attaining age seventy as aforesaid shall, without being required to be reinstated in the service of the commonwealth, be retired on the date of termination aforesaid on a retirement allowance then payable at age seventy; and such a member otherwise meeting the age and or service requirements necessary for retirement prior to the date of termination aforesaid shall, on and after the date of termination aforesaid and without being required to be reinstated in such service, have all the rights and benefits provided by sections one to five, inclusive, to which he would have been entitled if his service had not been interrupted by a period of absence as aforesaid, and if such a former member re-enters the service after the termination of the aforesaid thirty day period he shall from the date of entry be treated in all respects as a contributing member; but in case of retirement hereunder no pension or annuity payments shall be made on account of any period of time prior to the date of receipt by the board of the written application for retirement. In no case shall interest be added to the account of such a member beyond the first day of the month in which the date of termination of the additional thirty day period occurs, unless such member is sooner reinstated in such service. The account of such a member in the annuity fund may be withdrawn at any time upon the filing of a written notice with the board, which shall, if the member has already become eligible for retirement, be

Rights and benefits of members of state retirement association while receiving workmen's compensation payments from the commonwealth.

accompanied by a waiver as set forth in section five. Whenever such a member receives a lump sum payment under section forty-eight of chapter one hundred and fifty-two, the period of time covered by such payment shall, for the purposes of this section, be computed to begin on the last day the name of such member appeared upon the pay roll prior to such payment or on the day of the last compensation payment in case weekly payments had previously been made and to continue throughout a number of weeks equal to the quotient of the lump sum payment divided by the maximum weekly compensation which would otherwise be payable to such member, and any fraction of a week so resulting shall be taken as a full week.

Application of act.

SECTION 3. This act shall apply in the case of any member of the state retirement association who has been or now is receiving weekly compensation payments from the commonwealth under sections sixty-nine to seventy-five, inclusive, of chapter one hundred and fifty-two of the General Laws. *Approved June 2, 1931.*

Chap. 379 AN ACT AUTHORIZING THE CITY OF SALEM TO MAKE EXCESS TAKINGS IN CONNECTION WITH CERTAIN HIGHWAY CONSTRUCTION IN SAID CITY.

Be it enacted, etc., as follows:

City of Salem may make excess takings of land in connection with certain highway construction in said city.

SECTION 1. The city of Salem may from time to time take in fee by eminent domain under chapter seventy-nine of the General Laws, or acquire by purchase or otherwise, such lands, with buildings thereon, situated in said city, as may be necessary for the widening of Margin and Norman streets and for the extension of Broad and Crombie streets, and said city may take, also, in fee by eminent domain under said chapter seventy-nine, or acquire by purchase or otherwise, more land and property than are needed for the purpose authorized by the preceding sentence, such land and property authorized by this sentence to be so taken or otherwise acquired being no more in extent than will be sufficient for suitable building lots on both sides of said streets, and being bounded and described substantially as follows:

No. 5 Creek Street.

No. 5 Creek Street. — A parcel of land belonging to Philomina Quatarone bounded northerly by Creek street, easterly by land of Antonio Calabrese and Girolamo Grasso, southerly by land of said Calabrese and Grasso, easterly by land of said Calabrese and Grasso, northerly by land of said Calabrese and Grasso, easterly by land of said Calabrese and Grasso, southerly by land of Maria Selone, westerly by land of Francesca Centarino also land of Palmerino Febonio and containing approximately two thousand eight hundred square feet of land.

No. 7 Creek Street.

No. 7 Creek Street. — A parcel of land belonging to Palmerino and Matilda Febonio bounded northerly by

Creek street, easterly by land of Philomina Quatarone, southerly by land of Francesca Centarino, westerly by land of Salvatore Garro and containing approximately three thousand four hundred sixty-three square feet of land.

No. 9 Creek Street, also Nos. 17 and 19 Gedney Court.

No. 9 Creek Street, also Nos. 17 and 19 Gedney Court. — A parcel of land belonging to Salvatore Garro bounded northerly by Creek street, easterly by Creek street, northerly Creek street, easterly by land of Palmerino Febonio, southerly by land of Francesca Centarino, easterly by land of said Francesca Centarino, southerly by land of said Francesca Centarino also land of Giovanni Ficarra also land of Rosario Quatarone also land of Giacomo Femino, westerly by Gedney court, northerly by right of way, westerly by said right of way, northerly by land of Salvatore La Monica, westerly by land of said Salvatore La Monica, northerly by land of Maria Rosetti, easterly by land of said Francisco Pardo, northwesterly by land of Francisco Pardo and containing approximately eleven thousand one hundred and forty square feet of land.

Nos. 11 and 13 Creek Street.

Nos. 11 and 13 Creek Street. — A parcel of land belonging to Maria Rosetti bounded northerly by Creek street, easterly by land of Francisco Pardo, southerly by land of Salvatore Garro and land of Salvatore La Monica, westerly by land of Salvatore La Monica, southerly by land of Salvatore La Monica, westerly by land of Antonio Viselli and containing three thousand three hundred and twenty-four feet of land.

No. 15 Creek Street.

No. 15 Creek Street. — A parcel of land belonging to Antonio Viselli bounded northerly by Creek street, easterly by land of Maria Rosetti, southerly by land of Salvatore La Monica, westerly by land of Stefano Luca and land of Francesco Di Franco, containing approximately one thousand nine hundred and fifty-eight square feet of land.

No. 17 Creek Street.

No. 17 Creek Street. — A parcel of land belonging to Francesco Di Franco and Angelina Di Franco bounded northerly by Creek street, easterly by land of Antonio Viselli, southerly by land of Stefano Luca, westerly by land of James A. Todd, southerly by land of said Todd, westerly by land of Carmela Coletti and containing approximately two thousand seven hundred and thirty square feet of land.

No. 21 Creek Street.

No. 21 Creek Street. — A parcel of land belonging to James A. Todd and Sarah M. Todd, bounded northerly by Creek street, easterly by land of Carmela Coletti, southerly by other land of James A. Todd and Sarah M. Todd and land of Amy C. Leighton, westerly by land of Amy C. Leighton and other land of James A. and Sarah M. Todd, containing approximately three thousand nine hundred and sixty-nine square feet of land.

Nos. 7 and 9 Gedney Court.

Nos. 7 and 9 Gedney Court. — A parcel of land belonging to James A. and Sarah M. Todd bounded northerly by other land of said Todd also land of Carmela Coletti, easterly by land of James A. Todd, southerly by Gedney court, westerly by estate of Henry M. Bixby also land of Amy C. Leighton

and containing approximately four thousand twelve square feet of land.

No. 45 Summer Street. *No. 45 Summer Street.* — A parcel of land belonging to the estate of Henry M. Bixby bounded westerly by Summer street, northerly by land of Amy C. Leighton, easterly by land of James A. and Sarah M. Todd and by Gedney court, southerly by Gedney court and containing approximately eight thousand seven hundred square feet of land.

Nos. 25 and 27 Norman Street. *Nos. 25 and 27 Norman Street.* — A parcel of land belonging to Frank Grasso bounded northerly by Norman street, easterly by land of Ettore Tassinari and land of Stefano Ingemi, southerly by Creek street, westerly by land of Gerald Winer, trustee, and containing approximately twelve thousand one hundred forty-seven square feet of land.

Nos. 29 and 31 Norman Street. *Nos. 29 and 31 Norman Street.* — A parcel of land belonging to Gerald Winer, trustee of Haskell Winer estate, bounded northerly by Norman street, easterly by land of Frank Grasso, southerly by Creek street, westerly by land of Louis Diozzi and containing approximately nine thousand three hundred and forty-three square feet of land.

Nos. 35 and 37 Norman Street. *Nos. 35 and 37 Norman Street.* — A parcel of land belonging to Louis Diozzi and Mary Diozzi bounded northerly by Norman street, easterly by land of Gerald Winer, trustee, southerly by Creek street, westerly by land of Mary Martin Swain, southerly by land of said Swain, westerly by land of Theresa M. Curran and containing approximately ten thousand one hundred and ten square feet of land.

No. 39 Norman Street. *No. 39 Norman Street.* — A parcel of land belonging to Theresa M. Curran bounded northerly by Norman street, easterly by land of Louis Diozzi, and southerly by land of Mary Martin Swain, westerly by land of Bessie Phillips and containing approximately two thousand six hundred and twenty-one square feet of land.

No. 41 Norman Street. *No. 41 Norman Street.* — A parcel of land belonging to Bessie Phillips bounded northerly by Norman street, easterly by land of Theresa M. Curran, southerly by land of Swain, westerly by land of Corinne L. Benson and other land of Bessie Phillips and containing approximately two thousand five hundred and eighty-seven square feet of land.

Rear of No. 8 High Street. *Rear of No. 8 High Street.* — A portion of a parcel of land belonging to Francesca Centarino bounded northerly by land of Salvatore Garro fourteen feet, northerly by land of Palmerino Febonio forty-two and eight tenths feet, easterly by land of Philomena Quatarone nineteen and sixty-nine hundredths feet, southerly by land of said Francesca Centarino fifty-eight and eighty-nine hundredths feet, westerly by land of Giovanni Ficarra four and five tenths feet, northerly by land of said Salvatore Garro ten feet, westerly by said Garro twenty-five and nine tenths feet to point begun at and containing about one thousand three hundred and eighty-three square feet of land.

Rear of Nos. 10 and 12 High Street. *Rear of Nos. 10 and 12 High Street.* — A portion of a parcel of land belonging to Giovanni Ficarra bounded northerly

by land of Salvatore Garro forty-three and five tenths feet, easterly by land of Francesca Centarino four and five tenths feet, southerly by land of said Giovanni Ficarra twenty-four and twenty-seven hundredths feet, and southerly by the northerly line of garage on land of said Giovanni Ficarra and by said line extended westerly to the westerly line of land of said Ficarra about twenty feet, westerly by land of Rosario Quatarone about one foot, containing about seventy-five square feet of land.

Land and property not necessary for widenings may be sold, etc.

Section 2. After so much of the above specified land and property has been appropriated for such widenings and extensions of the above mentioned streets as is necessary therefor, the city of Salem may sell and convey the remainder for value with or without suitable restrictions. The proceeds of any land or property so sold shall be paid into the treasury of said city to be used for any purpose specified in section seven of chapter forty-four of the General Laws.

Submission to mayor and city council, etc.

Section 3. This act shall take effect upon its acceptance during the current year by the mayor and the city council of said city; but for the purpose of such acceptance, this act shall take effect upon its passage.

Approved June 2, 1931.

An Act authorizing the town of Spencer to borrow money for school purposes. *Chap.* 380

Be it enacted, etc., as follows:

Town of Spencer may borrow money for school purposes.

Section 1. For the purpose of remodeling the present high school building and for constructing an addition to said building, where such addition increases the floor space of said building, including the cost of equipment and furnishings for said building and addition, the town of Spencer may borrow from time to time, within a period of five years from the passage of this act, such sums as may be necessary, not exceeding, in the aggregate, one hundred thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Spencer School Loan, Act of 1931. Each authorized issue shall constitute a separate loan, and such loans shall be paid in not more than fifteen years from their dates, but no issue shall be authorized under this act unless a sum equal to an amount not less than ten per cent of such authorized issue is voted for the same purpose to be raised by the tax levy of the year when authorized. Indebtedness incurred under this act shall be in excess of the statutory limit but shall, except as herein provided, be subject to chapter forty-four of the General Laws, exclusive of the limitation contained in the first paragraph of section seven thereof, as revised by chapter three hundred and twenty-four of the acts of nineteen hundred and twenty-eight.

Spencer School Loan, Act of 1931.

Section 2. This act shall take effect upon its passage.

Approved June 4, 1931.

*Chap.*381 AN ACT PROVIDING FOR THE CONSTRUCTION BY THE METROPOLITAN DISTRICT COMMISSION OF AN EXTENSION TO AN EXISTING SEWER IN THE TOWN OF ARLINGTON.

Be it enacted, etc., as follows:

Metropolitan district commission may construct an extension to an existing sewer in town of Arlington.

SECTION 1. The metropolitan district commission is hereby authorized to construct and maintain an extension of the main sewer in the valley of Mill or Sucker brook in the town of Arlington, from its present terminus at Forest street in said town to Park avenue in said town, and for this purpose may exercise all the powers conferred upon it by chapter ninety-two of the General Laws relative to the construction, maintenance and operation of systems of sewage disposal.

Cost, how paid.

SECTION 2. The cost of the construction authorized by section one shall be paid out of the unexpended balances remaining from the proceeds of loans issued under authority of chapter one hundred and sixteen of the acts of nineteen hundred and twenty-four and of chapter one hundred and eighty-four of the acts of nineteen hundred and twenty-seven, as amended by chapter two hundred and eleven of the acts of nineteen hundred and twenty-eight and as affected by chapter one hundred and eighty-eight of the acts of nineteen hundred and twenty-nine, and not required for the purposes of said chapter one hundred and sixteen or one hundred and eighty-four or of chapter two hundred and thirteen of the acts of nineteen hundred and twenty-six.

SECTION 3. This act shall take effect upon its passage.

Approved June 4, 1931.

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*Chap.*382 AN ACT AUTHORIZING THE TOWN OF TOPSFIELD TO BORROW MONEY FOR SCHOOL PURPOSES.

Be it enacted, etc., as follows:

Town of Topsfield may borrow money for school purposes.

SECTION 1. For the purpose of constructing a new school building and originally equipping and furnishing the same, the town of Topsfield may borrow from time to time, within a period of five years from the passage of this act, such sums as may be necessary, not exceeding, in the aggregate, fifty thousand dollars, and may issue bonds or notes therefor,

Topsfield School Loan, Act of 1931.

which shall bear on their face the words, Topsfield School Loan, Act of 1931. Each authorized issue shall constitute a separate loan, and such loans shall be paid in not more than fifteen years from their dates, but no issue shall be authorized under this act unless a sum equal to an amount not less than ten per cent of such authorized issue is voted for the same purpose to be raised by the tax levy of the year when authorized. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall, except as provided herein, be subject to chapter forty-four of the General Laws, exclusive of the limitation contained in the first paragraph of section seven thereof, as revised by chapter three hundred

and twenty-four of the acts of nineteen hundred and twenty-eight.

Section 2. This act shall take effect upon its passage.

Approved June 4, 1931.

An Act relative to the investigation of fires in the city of Boston and certain reports in relation to fires. *Chap.* 383

Emergency preamble.

Whereas, The deferred operation of this act would tend to defeat its purpose, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

G. L. 148, § 3, amended.

Section 1. Chapter one hundred and forty-eight of the General Laws, as appearing in section one of chapter three hundred and ninety-nine of the acts of nineteen hundred and thirty, is hereby amended by striking out section three and inserting in place thereof the following: — *Section 3.* The marshal shall investigate or cause to be investigated the circumstances of all fires of suspicious origin of which he has notice, except such fires occurring in the city of Boston, and may investigate or cause to be investigated the circumstances of any fire occurring anywhere within the commonwealth. For such purposes the marshal, or some person designated by the commissioner, may summon and examine on oath, administered by the marshal or such person so designated, any person supposed to know or have means of knowing any material facts touching the subject of investigation. Such witnesses may be kept apart and examined separately, and such examination shall be reduced to writing, and false testimony therein shall be perjury. Any justice of a district court or of the superior court, upon application of the marshal, or person so designated, may compel the attendance of such witnesses and the giving of such testimony in the same manner and to the same extent as before said court. If, upon such investigation, the marshal, or person so designated, believes that the evidence is sufficient to charge any person with crime, he shall make a complaint therefor, and shall furnish the proper officers with the evidence and names of witnesses obtained by him. The marshal shall, when required, report to the commissioner of insurance his proceedings and the progress of prosecutions instituted hereunder. In respect to fires of suspicious origin occurring in the city of Boston, the fire commissioner of said city shall have and exercise all the powers and duties conferred or imposed by this section on the commissioner or on the marshal, and any person designated by the said fire commissioner shall have and exercise all the powers and duties conferred or imposed as aforesaid on such person as the commissioner is hereinbefore authorized to designate. The fire commissioner shall report to the marshal

State fire marshal to investigate fires of suspicious origin, except such fires occurring in city of Boston.

Fire commissioner of city of Boston, powers and duties in respect to fires of suspicious origin occurring in city of Boston.

Report to marshal.

the results of any investigation as to such fires held by said commissioner or by a person designated by him.

G. L. 148, § 8, amended.

Section 2. Section eight of said chapter one hundred and forty-eight, as so appearing, is hereby amended by inserting after the word "persons" in the seventh line the following: — The fire commissioner of the city of Boston shall make like reports of fires investigated by him or by a person by him designated under section three, — and by striking out, in the same line, the words "He may" and inserting in place thereof the words: — The marshal shall, — so as to read as follows: — *Section 8.* The marshal shall report to insurance companies, to owners of property, or to other persons interested in the subject matter of an investigation of the cause and circumstances of a fire any information obtained by such investigation which may in his opinion require attention from or by such insurance companies, owners of property or other persons. The fire commissioner of the city of Boston shall make like reports of fires investigated by him or by a person by him designated under section three. The marshal shall also report to the head of the fire department the results of any investigation into fires of suspicious origin reported to him by such head as required by section two.

Report to insurance companies, etc.

Approved June 4, 1931.

Chap. 384 An Act to provide additional court house accommodations and facilities for the courts and other officials in the county of Suffolk.

Emergency preamble.

Whereas, The deferred operation of this act would tend to defeat its purpose to provide immediate relief against court house congestion in Suffolk county, which is seriously impeding the administration of justice, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public safety and convenience.

Be it enacted, etc., as follows:

Establishment of commission to provide additional court house accommodations and facilities for the courts and other officials in Suffolk county.

Section 1. For the purpose of providing additional court house accommodations and facilities for the courts and other officials in the county of Suffolk, including furnishings and equipment, there is hereby established a commission, hereinafter referred to as the commission, to consist of three citizens of the commonwealth, who shall be appointed within two months after the effective date of this act in the manner following: — one by the governor, one by the mayor of the city of Boston, hereinafter referred to as the mayor, and one by the chief justice of the supreme judicial court, the chief justice of the superior court, and the chief justice of the municipal court of the city of Boston, or a majority of them. The commission shall choose its own chairman. The commissioners shall receive such compensation as may be determined by the governor and the mayor, and shall serve for a period of five years from said date. Any vacancy in the office of any commissioner shall be filled in the same manner as the original appointment.

Compensation.

Vacancy.

Section 2. The commission is hereby authorized and directed to determine upon the location of such additional accommodations and facilities, and whether they shall consist of alterations in or additions or extensions to the present court house building or additional court house units, or any or all thereof, provided, that any additional land to be acquired hereunder shall be within the area bounded by Ashburton place, Bowdoin street, Cambridge street, Court street, Pemberton square, and the central hall of the present court house building; and to determine the type and general style of building or buildings to be utilized, so far as consistent with the laws and regulations relative to the height of buildings applicable to the location, and what streets and ways, if any, shall be closed, altered or extended in order to consolidate locations and to permit of an advantageous lay-out and adequate access thereto. Forthwith upon the determination of said questions and in accordance with such determination, the commission shall proceed to acquire by purchase, or to take by eminent domain under chapter seventy-nine of the General Laws, such land and interests therein, including buildings, as may be necessary to construct such additions, extensions or units upon the locations designated as aforesaid, or to relocate or extend public ways, provided, that in case of any taking under said chapter seventy-nine, the commission at the time of taking need make no award of damages sustained by the person whose property is taken; and shall proceed to cause to be closed, altered or extended such streets and ways as may have been determined to be necessary, and to cause to be prepared, subject to the approval of the governor and the mayor, and in compliance with said laws and regulations, plans and specifications for the construction of such alterations, extensions, additions and units, or any of them, together with such remodeling and alterations of the present court house building, as shall have been determined to be necessary as aforesaid, in order properly to house the superior, municipal and juvenile courts and clerks' offices, the probate court, the registry of probate, registry of deeds, the offices of the district attorney and the sheriff of said county, the social law library, the supreme judicial court, the land court, the reporter of decisions, the board of probation and the board of bar examiners, and adequately to accommodate all other services and facilities incidental thereto and needful for the prompt and effective administration of justice and the despatch of public business. The services of such architects and engineers as may be employed by the commission shall be on the basis of salary or fee plus actual cost of draughting and incidentals, and not of commission.

Determination as to location, etc.

Proviso.

Determination as to type and general style of building, etc.

Taking of land, etc.

Proviso.

Closing, etc., of streets and ways, etc.

Plans and specifications, etc.

Architects and engineers, etc.

Section 3. Upon completion of the necessary land takings or purchases, the commission, with the approval of the governor and the mayor, may proceed by contract, in the manner hereinafter provided, with the wrecking and removal of the old buildings on the land so taken or purchased.

Wrecking and removal of old buildings on land taken, etc.

When commission may proceed with making of contracts for construction of alterations, extensions, etc.

When the plans and specifications have been approved by the governor and the mayor as aforesaid, and if it appears to their satisfaction that after making reasonable allowances for unsettled land damages, furnishings and equipment, and contingencies, the total expense of carrying out the provisions of this act will not exceed the unexpended balance of the amount herein authorized to be expended, the commission is hereby authorized, on behalf of the commonwealth and the city of Boston, to proceed with the making of contracts for the construction of the alterations, extensions, and additions and units, or any of them, authorized as herein provided, and the furnishing and equipment thereof.

Limit of liability of commonwealth and of city, etc.

The liability of the commonwealth and of said city under any such contract, or otherwise, shall be limited to the proportions in which the commonwealth and said city, respectively, contribute to the cost of the work, as herein provided.

Disposition of furnishings in existing court house, etc.

The commission may dispose of such furnishings and equipment in the existing court house building as may be replaced hereunder, and the proceeds shall be available for expenditure for the purposes of this act.

All work to be under written contract, etc.

All work shall be done under written contract, and no such contract shall be deemed to have been made or executed until the written approval of the governor and the mayor has been affixed thereto.

Competitive bidding.

Advertising in Boston City Record.

All such contracts shall be awarded by the commission on the basis of competitive bidding, and only after proposals for the same have been invited by advertisements in the Boston City Record once a week for at least two consecutive weeks, the last publication to be at least one week before the time specified for the opening of said proposals. Said advertisements shall state the time and place where plans and specifications of the proposed work may be had and the time and place for opening the proposals in answer to said advertisements, and shall reserve to the commission the right to reject any or all of such proposals.

Proposals to be opened in public.

All such proposals shall be opened in public.

Bond.

Any contract made as aforesaid may be required to be accompanied by a bond with sureties satisfactory to the commission, or by a deposit of money, certified check or other security for the faithful performance thereof, and such bonds or other securities shall be deposited with the city treasurer until the contract has been carried out in all respects.

Alterations in contract to require written approval of governor, etc.

Alterations in any such contract or in the plans and specifications to which it relates shall require the written approval of the governor or some person designated by him for the purpose and of the mayor or some person designated by him as aforesaid. A member of the commission may be so designated.

Expenditure.

Section 4. For the purpose of completely carrying out the provisions of this act, including payment of salaries and expenses of its members, the commission may expend a sum not exceeding five million dollars, in addition to any sums

Apportionment.

received under the provisions of this act, of which thirty per cent shall be paid by the commonwealth and seventy per

cent by the city of Boston. To meet the commonwealth's share of such expenditures, the state treasurer shall from time to time, on the request of the commission and with the approval of the governor and council, place at the disposal of the commission such funds as it may require within the said limit, either from such appropriation or appropriations as may be made or by the issue and sale, at public or private sale, of notes of the commonwealth to an amount not exceeding one million five hundred thousand dollars, which shall be designated "Court House Loan, Act of 1931." Such notes shall be for such term of years as may be recommended by the governor in accordance with section three of Article LXII of the amendments to the constitution, and shall bear interest, payable semi-annually, at such rate as shall be fixed by the state treasurer, with the approval of the governor and council.

State treasurer to place funds at disposal of commission to meet state's share of expense, etc.

Court House Loan, Act of 1931.

Section 5. The city of Boston shall from time to time, at the request of the commission, place at the disposal of the commission such funds as may be needed to meet the city's share of the expenditures authorized by this act, and for this purpose the treasurer of said city, without further authority, shall borrow from time to time such sums as may be necessary, not exceeding, in the aggregate, three million five hundred thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, City of Boston, Court House Loan, Act of 1931. Each authorized issue shall constitute a separate loan, and such loans shall be payable in not more than twenty years from their dates. Such indebtedness incurred under this act shall be in excess of the statutory limit, but shall, except as herein otherwise provided, be subject to all laws relative to the incurring of debt by said city.

City of Boston to place funds at disposal of commission to meet city's share of expense, etc.

City of Boston, Court House Loan, Act of 1931.

Section 6. This act shall take effect upon its acceptance, during the current year, by vote of the city council of the city of Boston, subject to the provisions of its charter; but for the purpose only of such acceptance it shall take effect upon its passage. *Approved June 4, 1931.*

Submission to city council, etc.

An Act relative to the payment of compensation to dependents of certain policemen and firemen who are killed in the performance of duty. *Chap.* 385

Whereas, The deferred operation of this act would tend to defeat its purpose, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public safety.

Emergency preamble.

Be it enacted, etc., as follows:

Section 1. Section eighty-nine of chapter thirty-two of the General Laws, as most recently amended by section one of chapter two hundred and forty-one of the acts of nineteen hundred and thirty, is hereby further amended by inserting after the word "death" in the thirty-ninth line the follow-

G. L. 32, § 89, etc., amended.

ing: —, except that if such deceased person was a reserve or special policeman or a reserve or call fireman of a city or town and, at the time he was killed or at the time he received the injuries resulting in his death, was performing duty to which he was assigned or called as such policeman or fireman and for the performance of which he was entitled to compensation from said city or town, the total amount of all such annuities shall not exceed the annual rate of compensation payable to a regular or permanent member of the police or fire force thereof, as the case may be, for the first year of service therein, and if there are no regular or permanent members of the police or fire force thereof, as the case may be, said total amount shall not exceed the sum of one thousand dollars, — so as to read as follows: — *Section 89.* If a member of the police or fire force of a city or town, or a member of the department of public safety doing police duty, is killed, or dies within one year from injuries received, while in the performance of his duty as such member and it shall be proved to the satisfaction of the mayor and city council or selectmen, or of the commissioner of public safety subject to the approval of the governor and council, as the case may be, that such death was the natural and proximate result of an accident occurring during the performance and within the scope of his duty as such member, and the attending physician or medical examiner shall certify to the city, town or state treasurer, as the case may be, that the death was the direct result of the said injury, there shall be paid except as hereinafter provided, out of the city, town or state treasury, as the case may be, to the following dependents of such deceased person the following annuities: To the widow, so long as she remains unmarried, an annuity not exceeding one thousand dollars a year, increased by not exceeding two hundred dollars for each child of such deceased person during such time as such child is under the age of eighteen or over said age and physically or mentally incapacitated from earning; and, if there is any such child and no widow or the widow later dies, such an annuity as would have been payable to the widow had there been one or had she lived, to or for the benefit of such child, or of such children in equal shares, during the time aforesaid; and, if there is any such child and the widow remarries, in lieu of the aforesaid annuity to her, an annuity not exceeding two hundred and sixty dollars to or for the benefit of each such child during the time aforesaid; and, if there is no widow and no such child, an annuity not exceeding one thousand dollars to or for the benefit of the father or mother of the deceased if dependent upon him for support at the time of his death, during such time as such beneficiary is unable to support himself or herself and does not remarry. The total amount of all such annuities shall not exceed the annual rate of compensation received by such deceased person at the date of his death, except that if such deceased person was a reserve or special policeman or a reserve or call fire-

Payment of annuities to dependents of policemen or firemen killed, or dying from injuries received, in performance of duty.

Total amount, except, etc.

man of a city or town and, at the time he was killed or at the time he received the injuries resulting in his death, was performing duty to which he was assigned or called as such policeman or fireman and for the performance of which he was entitled to compensation from said city or town, the total amount of all such annuities shall not exceed the annual rate of compensation payable to a regular or permanent member of the police or fire force thereof, as the case may be, for the first year of service therein, and if there are no regular or permanent members of the police or fire force thereof, as the case may be, said total amount shall not exceed the sum of one thousand dollars. The amount of any such annuity shall from time to time be determined within the limits aforesaid by the mayor and city council, the selectmen, or the commissioner of public safety subject to the approval of the governor and council, as the case may be.

Determination of amount, etc.

In case the deceased was a member of a contributory retirement system for public employees, the benefits provided under this section shall be in the alternative for the benefits, if any, provided by such retirement system for dependent widows and children or for dependent fathers or mothers; and the widow, or if there is no widow, the legal representative of the children entitled thereto, if any, otherwise the father or mother in the order named, shall elect which benefits shall be granted. Such election shall be made in writing and shall be filed with the retirement board in charge of the system of which the deceased was a member and shall not be subject to change or revocation after the first payment of any benefit thereunder.

Election of benefits in case deceased was member of a contributory retirement system, etc.

Election to be in writing, etc.

Section 2. Section seventy-one of said chapter thirty-two, as most recently amended by section two of said chapter two hundred and forty-one, is hereby further amended by inserting after the word "death" in the thirty-fifth line the following: —, except that if he was a call officer, said total amount shall not exceed the annual rate of compensation payable to a permanent officer of said police department for the first year of service therein, — so as to read as follows: — *Section 71.* Subject to the requirement of election set forth in the last paragraph of section eighty-nine, if any permanent or call officer of said police department is killed or dies within one year from injuries received while in the performance of his duty as such officer and it shall be proved to the satisfaction of the commission that such death was the natural and proximate result of an accident occurring during the performance and within the scope of his duty as such officer and the attending physician or medical examiner shall certify to the state treasurer that the death was the direct result of the said injury, there shall be paid to the following dependents of such deceased officer the following annuities: To the widow, so long as she remains unmarried, an annuity not exceeding one thousand dollars a year, increased by not exceeding two hundred dollars for each child of such deceased person during such time as such

G. L. 32, § 71, etc., amended.

Payment of annuities to dependents of metropolitan police killed, or dying from injuries received, in performance of duty, subject, etc.

child is under the age of eighteen or over said age and physically or mentally incapacitated from earning; and, if there is any such child and no widow or the widow later dies, such an annuity as would have been payable to the widow had there been one or had she lived, to or for the benefit of such child, or of such children in equal shares, during the time aforesaid; and, if there is any such child and the widow remarries, in lieu of the aforesaid annuity to her, an annuity not exceeding two hundred and sixty dollars to or for the benefit of each such child during the time aforesaid; and, if there is no widow and no such child, an annuity not exceeding one thousand dollars to or for the benefit of the father or mother of the deceased if dependent upon him for support at the time of his death, during such time as such beneficiary is unable to support himself or herself and does not remarry.

Total amount, except, etc.

The total amount of all such annuities shall not exceed the annual rate of compensation received by such deceased officer at the date of his death, except that if he was a call officer, said total amount shall not exceed the annual rate of compensation payable to a permanent officer of said police department for the first year of service therein.

Determination of amount, etc.

The amount of any such annuity shall, from time to time, be determined within the limits aforesaid by the said commission. The provisions of this and the two preceding sections as to pensions or annuities for disability or death resulting from injuries received in the performance of duty shall apply to officers assigned to duty under the commissioner of public safety as provided in section four of chapter one hundred and forty-seven.

Application of act.

SECTION 3. This act shall apply to deaths of reserve, special or call policemen and reserve or call firemen occurring on or after January first, nineteen hundred and thirty.

Approved June 4, 1931.

Chap. 386 AN ACT RELATIVE TO THE USE OF ANSWERS TO INTERROGATORIES IN CASE OF THE DEATH OF THE PARTY INTERROGATED.

Be it enacted, etc., as follows:

G. L. 233, new section after § 65.

Use of answers to interrogatories in case of death of party interrogated.

Chapter two hundred and thirty-three of the General Laws is hereby amended by inserting after section sixty-five the following new section: — *Section 65A*. If a party to an action or suit who has filed answers to interrogatories under sections sixty-one to sixty-seven, inclusive, of chapter two hundred and thirty-one dies, so much of such answers as the court finds have been made upon the personal knowledge of the deceased shall not be inadmissible as hearsay or self-serving if offered in evidence in said action or suit by a representative of the deceased party.

Approved June 4, 1931.

An Act conferring upon the land court jurisdiction in equity of suits to quiet or establish the title to land or to remove a cloud from the title thereto and relative to the general law and equity powers of said court. *Chap.* 387

Be it enacted, etc., as follows:

Section 1. Section one of chapter one hundred and eighty-five of the General Laws is hereby amended by inserting after the word "boundaries" in the twenty-eighth line the following: — It shall also have original jurisdiction concurrent with the supreme judicial court and the superior court of the following: — (*k*) Suits in equity to quiet or establish the title to land or to remove a cloud from the title thereto. In the exercise of jurisdiction conferred by this clause, the land court shall have all the powers and jurisdiction conferred by sections six to ten, inclusive, of chapter two hundred and forty, — and by striking out, in the thirty-first line, the words "board of aldermen" and inserting in place thereof the words: — city council, — so as to read as follows: — *Section 1.* The land court shall be a court of record. It shall have exclusive original jurisdiction of the following matters: G. L. 185, § 1, amended. Land court, jurisdiction, sittings, rules, forms, etc.

(*a*) Petitions for the registration of title to land and easements or rights in land held and possessed in fee simple within the commonwealth, with power to hear and determine all questions arising upon such petitions, and such other questions as may come before it under this chapter, subject to all rights to jury trial and of appeal provided by law. The proceedings upon such petitions shall be proceedings in rem against the land, and the decrees shall operate directly on the land and vest and establish title thereto.

(*b*) Proceedings to foreclose tax titles, under chapter sixty.

(*c*) Writs of entry, under chapter two hundred and thirty-seven.

(*d*) Petitions to require actions to try title to real estate, under sections one to five, inclusive, of chapter two hundred and forty.

(*e*) Petitions to determine the validity of encumbrances, under sections eleven to fourteen, inclusive, of chapter two hundred and forty.

(*f*) Petitions to discharge mortgages, under section fifteen of chapter two hundred and forty.

(*g*) Petitions under section twenty-seven of chapter two hundred and forty to establish power or authority to transfer an interest in real estate.

(*h*) Petitions to determine the boundaries of flats, under section nineteen of chapter two hundred and forty.

(*i*) Petitions under sections sixteen to eighteen, inclusive, of chapter two hundred and forty to determine whether or not equitable restrictions are enforceable.

(*j*) Petitions under section twelve of chapter forty-two to determine county, city, town or district boundaries.

It shall also have original jurisdiction concurrent with the supreme judicial court and the superior court of the following: —

(*k*) Suits in equity to quiet or establish the title to land or to remove a cloud from the title thereto. In the exercise of jurisdiction conferred by this clause, the land court shall have all the powers and jurisdiction conferred by sections six to ten, inclusive, of chapter two hundred and forty.

The court shall hold its sittings in Boston, but may adjourn from time to time to such other places as public convenience may require. In Suffolk county, the city council of Boston, and in other counties, the county commissioners, shall provide suitable rooms for the sittings of said court in the same building with, or convenient to, the probate court or the registry of deeds, and shall provide necessary books and such printed blanks, forms and stationery as the court may order.

The court shall have jurisdiction throughout the commonwealth, shall always be open, except on Sundays and legal holidays, and shall have a seal with which all orders, processes and papers made by or proceeding from the court and requiring a seal shall be sealed. Its notices, orders and processes may run into any county and be returnable as it directs.

The court shall from time to time make general rules and forms for procedure, which, before taking effect, shall be approved by the supreme judicial court or by a justice thereof.

G. L. 185, §§ 20 and 25, amended.

General law and equity powers of court.

Section 2. Said chapter one hundred and eighty-five is hereby amended by striking out sections twenty and twenty-five and inserting in place thereof the following: — *Section 25.* In all matters within its jurisdiction, the court shall have all the powers which the superior court has in actions at law and suits in equity, including the power to grant injunctions and restraining orders in accordance with the procedure provided by chapter two hundred and fourteen, as justice and equity may require, except that it shall hold no trials by jury.

G. L. 240, § 6, amended.

Suits in equity in supreme judicial or superior courts or in land court to quiet title.

Section 3. Section six of chapter two hundred and forty of the General Laws is hereby amended by inserting after the word "court" in the second line the words: — , or in the land court, — so as to read as follows: — *Section 6.* If, in a suit in equity in the supreme judicial or the superior court, or in the land court, to quiet or establish the title to land situated in the commonwealth or to remove a cloud from the title thereto, it is sought to determine the claims or rights of persons unascertained, not in being, unknown or out of the commonwealth, or who cannot be actually served with process and made personally amenable to the decree of the court, such persons may be made defendants and, if they are unascertained, not in being or unknown, may be described generally, as the heirs or legal representatives of A B, or such persons as shall become heirs, devisees or

appointees of C D, a living person, or persons claiming under A B. It shall be unnecessary for the maintenance of such suit that the defendants shall have a claim or the possibility of a claim resting upon an instrument the cancellation or surrender of which would afford the relief desired; but it shall be sufficient that they claim or may claim by purchase, descent or otherwise, some right, title, interest or estate in the land which is the subject of the suit and that their claim depends upon the construction of a written instrument or cannot be met by the plaintiffs without the production of evidence. Two or more persons claiming to own separate and distinct parcels of land in the same county by titles derived from a common source, or two or more persons having separate and distinct interests in the same parcel, may join as plaintiffs in any suit brought under this section.

Effective date.

Section 4. This act shall take effect on the first day of October in the current year. *Approved June 4, 1931.*

An Act giving the city council of the city of Cambridge the right to disapprove the granting in said city of certain licenses relative to explosives and inflammables. *Chap.* 388

Be it enacted, etc., as follows:

Cambridge city council may disapprove the granting in said city of certain licenses relative to explosives and inflammables.

Section 1. The city council of the city of Cambridge, at any time during the pendency before the board of license commissioners of said city of any application under section thirteen of chapter one hundred and forty-eight of the General Laws, as appearing in section one of chapter three hundred and ninety-nine of the acts of nineteen hundred and thirty, for a license to store within said city gasoline or other inflammable fluids and explosives and inflammable compounds named in section nine of said chapter one hundred and forty-eight, or any of them, may disapprove the granting of the same; and upon such disapproval the application for such license shall be refused by said board.

Inconsistent provisions not applicable, etc.

Section 2. Any provision of general or special law inconsistent with the provisions of this act shall not apply to said city of Cambridge after the effective date hereof.

Submission to voters, etc.

Section 3. This act shall be submitted for acceptance to the registered voters of the city of Cambridge at the regular municipal election in the current year in the form of the following question which shall be placed upon the official ballot to be used in said city at said election: — "Shall an act passed by the general court in the year nineteen hundred and thirty-one, entitled 'An Act giving the City Council of the City of Cambridge the Right to disapprove the Granting in Said City of Certain Licenses relative to Explosives and Inflammables', be accepted?" If a majority of the votes cast on said question are in the affirmative, this act shall thereupon take effect, but not otherwise.

Approved June 4, 1931.

Chap. 389 An Act relative to the approval and payment of accounts by cities and towns against the commonwealth on account of certain poor, sick and dependent persons.

Be it enacted, etc., as follows:

G. L. 121, § 42, amended.

Section forty-two of chapter one hundred and twenty-one of the General Laws, added by section one of chapter two hundred and forty-one of the acts of nineteen hundred and twenty-six, is hereby amended by striking out, in the sixteenth to the nineteenth lines, the words "may be allowed and paid for any period subsequent to said thirtieth day of June upon approval by the department and certification by the comptroller", — and inserting in the place thereof the following: — for the twelve months aforesaid for allowances to a town, if rendered at any time prior to the sixtieth day after the close of the current fiscal year of the town, may be received and, in the discretion of the department and upon certification by the comptroller, be allowed and paid when an appropriation therefor has been made, — so as to read as follows: — *Section 42.* All accounts against the commonwealth for allowances to counties, cities and towns on account of moneys paid for which they are entitled to reimbursement by the commonwealth under the provisions of section five of chapter one hundred and two, section one hundred and sixteen of chapter one hundred and eleven, sections seventeen and eighteen of chapter one hundred and seventeen, section six of chapter one hundred and eighteen and sections twelve, fifteen and eighteen of chapter one hundred and twenty-two shall be rendered to the department on or before the first day of October annually, and shall be for the twelve months ending on the thirtieth day of June preceding, and, if rendered as aforesaid, approved by the department and certified by the comptroller but not otherwise, shall be paid by the commonwealth; provided, however, that such accounts for the twelve months aforesaid for allowances to a town, if rendered at any time prior to the sixtieth day after the close of the current fiscal year of the town, may be received and, in the discretion of the department and upon certification by the comptroller, be allowed and paid when an appropriation therefor has been made. Failure to comply with the rules and regulations of the department shall be ground for disapproval of any account. *Approved June 4, 1931.*

Approval and payment of accounts against commonwealth on account of certain poor, sick and dependent persons.

Proviso.

Disapproval of accounts.

Chap. 390 An Act providing additional funds for the purpose of providing a hospital for the Worcester County tuberculosis hospital district.

Be it enacted, etc., as follows:

1928, 368, § 1, etc., amended.

Section 1. Section one of chapter three hundred and sixty-eight of the acts of nineteen hundred and twenty-eight, as amended by section one of chapter three hundred

and seventy-five of the acts of nineteen hundred and thirty, is hereby further amended by striking out, in the seventh line, the words "one hundred" and inserting in place thereof the words: — seven hundred and fifty, — so as to read as follows: — *Section 1.* For the purpose of providing a tuberculosis hospital for the Worcester county tuberculosis hospital district under the provisions of sections seventy-eight to ninety, inclusive, of chapter one hundred and eleven of the General Laws, the county commissioners of said county may raise and expend a sum not exceeding one million seven hundred and fifty thousand dollars subject to the provisions of said sections.

Worcester county may raise and expend a certain sum to provide for a tuberculosis hospital for Worcester county tuberculosis hospital district.

Section 2. This act shall take effect upon its acceptance during the current year by the county commissioners of said county, but not otherwise; but for the purpose of such acceptance, this act shall take effect upon its passage.

Effective upon acceptance, etc.

Approved June 4, 1931.

An Act establishing a division of parks in the department of conservation, and defining its powers and duties. *Chap.* 391

Be it enacted, etc., as follows:

Section 1. Section one of chapter twenty-one of the General Laws is hereby amended by striking out the word "and" the second time it appears in the second line, and inserting in place thereof a comma, — and by inserting after the word "industry" in the third line the words: — and a division of parks, — so as to read as follows: — *Section 1.* There shall be a department of conservation, consisting of a division of forestry, a division of fisheries and game, a division of animal industry and a division of parks, each under the charge of a director. The department shall be under the supervision and control of a commissioner of conservation. The directors shall act as an advisory council to the commissioner.

G. L. 21, § 1, amended.

Department of conservation, how constituted.

Section 2. Said chapter twenty-one is hereby further amended by adding at the end thereof, under the heading "Division of Parks", the following two new sections: — *Section 11.* Upon the expiration of the term of office of a director of the division of parks, in this and the following section called the director, his successor shall, except as provided by section three, be appointed for three years by the governor, with the advice and consent of the council. The director shall be qualified by training and experience to perform the duties of his office and shall, except as provided by section three, receive such salary, not exceeding five thousand dollars, as may be fixed by the commissioner, subject to the approval of the governor and council. Except as otherwise provided, the director shall act for the commonwealth in the care and management of parks and reservations owned by the commonwealth outside of the metropoli-

G. L. 21, two new sections at end thereof.

Director of the division of parks, term, salary, duties.

tan parks district for purposes of recreation or conservation, and shall perform such other similar duties as may be imposed upon him by the commissioner.

Experts and clerical assistants, etc.

Section 12. The director may, subject to the approval of the commissioner, appoint and remove such experts and clerical and other assistants as the work of the division may require. The director shall be allowed necessary traveling expenses for himself and his employees incurred in the discharge of duty.

G. L., new chapter after chapter 132.

SECTION 3. The General Laws are hereby amended by inserting after chapter one hundred and thirty-two, under the title, STATE PARKS AND RESERVATIONS OUTSIDE OF THE METROPOLITAN PARKS DISTRICT, the following new chapter: —

CHAPTER 132A.

STATE PARKS AND RESERVATIONS OUTSIDE OF THE METROPOLITAN PARKS DISTRICT.

Commissioner of conservation may accept bequests or gifts to be used for purpose of advancing the recreational and conservation interests and policies of commonwealth, etc.

Section 1. The commissioner of conservation, in this chapter called the commissioner, with the approval of the governor and council, may accept in trust, on behalf of the commonwealth, bequests or gifts to be used for the purpose of advancing the recreational and conservation interests and policies of the commonwealth, and shall administer the same in such manner as to carry out the terms of such bequests or gifts, and he may, subject to like approval, accept on behalf of the commonwealth, gifts of land outside of the metropolitan parks district to be held and managed for recreational and conservation purposes. All moneys and securities received hereunder shall be transferred forthwith to the state treasurer, who shall administer the same as provided by section sixteen of chapter ten.

Care and maintenance of parks or reservations owned by commonwealth outside of metropolitan parks district.

Section 2. The commissioner, with like approval, on petition of any board or commission charged with the care and maintenance of any park or reservation owned by the commonwealth outside of the metropolitan parks district, with the approval of the county commissioners of the county or counties wherein such park or reservation is situated, except in cases where said county commissioners are the petitioners, may, on behalf of the commonwealth and acting through the division of parks of the department of conservation, in the following seven sections called the division, assume the care and maintenance of such park or reservation, and thereafter shall expend for the care and maintenance thereof such sums as may be appropriated therefor.

Expenditure.

Commissioner may acquire lands suitable for purposes of conservation or recreation, etc.

Section 3. The commissioner may, from time to time within the limits of appropriations made therefor, acquire for the commonwealth, otherwise than by eminent domain, any lands suitable for purposes of conservation or recreation lying outside of the metropolitan parks district, and may lay out and maintain such lands for such purposes and erect and maintain such structures and other facilities thereon as

may be necessary to render such lands reasonably available and accessible therefor. The commissioner may, with the approval of the governor and council, sell or exchange any land acquired under this section which in his judgment can no longer be advantageously used for purposes of recreation or held for purposes of conservation. He may, at any time, sell such wood, timber or other product of the lands controlled by the division as the economical management of said lands may require. All moneys received under this section shall be paid into the state treasury.

May sell or exchange certain lands, etc.

May sell wood, timber, etc.

Section 4. The proportion in which each city and town of the commonwealth, exclusive of those comprising the metropolitan parks district, but including Cohasset, shall annually pay money into the treasury of the commonwealth to meet the expenses incurred under this chapter, and the cost of maintaining the division, and any deficiency in the amounts previously paid in, shall annually be determined by the state treasurer according to the average percentage of valuation and population, determined as to any city or town by adding together the percentage which the valuation of the same bears to the total valuation of the cities and towns of the commonwealth, exclusive of those comprising said district, but including Cohasset, and the percentage which the population of such city or town bears to the total population of the cities and towns of the commonwealth, exclusive of those comprising said district, but including Cohasset, and dividing this sum by two.

Apportionment of expenses, how determined.

Section 5. The amount of money required each year from every such city and town to meet the expenses and cost aforesaid, and the deficiency, if any, shall be estimated by the comptroller, and assessed by the state treasurer in accordance with the proportions determined as aforesaid, and shall be included and made a part of the sum charged to such city or town, and shall be paid by such city or town into the state treasury at the time required for the payment of its proportion of the state tax.

Estimate of expenses.

Assessment.

Payment.

Section 6. For the purposes of section four, the word "valuation" shall mean taxable valuation of property last established next prior to the determination therein provided for, by the general court as a basis of apportionment for state and county taxes, and the word "population" shall mean the population as determined by the latest census, state or national, next prior to such determination.

What words "valuation" and "population" shall mean for purposes of § 4.

Section 7. The commissioner, with the approval of the governor and council, may make rules and regulations for the government and use of all property under the control of the division, including rules and regulations relative to hunting and fishing not inconsistent with the laws protecting fish, birds and mammals. Such rules and regulations may also provide for the payment of fees and other charges for the parking of vehicles and for the enjoyment of other special privileges within the territory under such control. The commissioner shall cause such rules and regulations to

Rules and regulations.

Posting.

Prima facie evidence of posting.

Penalty.

Concessions for sale of refreshments, etc.

be posted in the territory to which they apply. The sworn certificate of the director of the division of parks of the department of conservation, in the following two sections called the director, that the same have so been posted shall be prima facie evidence thereof. Violation of such a rule or regulation shall be punished by a fine not exceeding twenty dollars. The commissioner may grant concessions for the sale of refreshments and other articles and the furnishing of services within any such territory.

Director to assist certain boards and commissions in an advisory capacity.

Section 8. The director shall, in an advisory capacity, assist boards and commissions charged with the care and maintenance of parks or reservations owned by the commonwealth outside of the metropolitan parks district, which are not placed under the care and control of the division.

Annual report.

Section 9. The commissioner shall make an annual report of the acts of the director.

G. L. 10, § 16, etc., amended.

SECTION 4. Chapter ten of the General Laws, as most recently amended in section sixteen by section two of chapter three hundred and seventy-six of the acts of nineteen hundred and twenty-three, is hereby further amended by striking out said section sixteen and inserting in place thereof the following: — *Section 16.* He shall invest, reinvest and hold in the name of the commonwealth any money or securities, or the proceeds thereof, received from the department of education under section three of chapter sixty-nine, or from the commissioner of conservation, under section one hundred and fifteen of chapter one hundred and thirty-one, under section two of chapter one hundred and thirty-two or under section one of chapter one hundred and thirty-two A, or from the trustees of the state library under section thirty-seven A of chapter six, and shall disburse the income or principal thereof on the order of the commissioner of the department having charge of the work in aid of which the gift or bequest was made, or on the order of the trustees of the state library in case of gifts or bequests for the use of the state library; provided, that no disposition of either income or principal shall be made which is inconsistent with the terms of the trust on which the property is held. He shall be responsible on his bond for the faithful management of all such property.

State treasurer may receive and invest trust funds received from department of education, commissioner of conservation and trustees of state library, etc.

Proviso.

Director of the division of parks of the department of conservation, appointment by governor, term, etc.

SECTION 5. As early as may be following the effective date of this act, the governor, with the advice and consent of the council, shall, except as provided by section three of chapter twenty-one of the General Laws, appoint a director of the division of parks of the department of conservation, to serve until the expiration of three years from the first day of January following. Upon the expiration of the term of said director, his successor shall be appointed as hereinbefore provided. *Approved June 4, 1931.*

An Act authorizing the county commissioners of the county of Essex to borrow money for the purpose of constructing an extension of an existing sewer at the Essex county industrial farm at Middleton. *Chap.* 392

Be it enacted, etc., as follows:

Essex county commissioners may expend a certain sum for constructing an extension of an existing sewer at the Essex county industrial farm at Middleton.

Section 1. To meet the expenses of constructing an extension of an existing sewer at the Essex county industrial farm at Middleton, the county commissioners of the county of Essex may expend a sum not exceeding twenty-five hundred dollars.

May borrow money, issue notes, etc.

Section 2. For the purposes aforesaid, the said commissioners may borrow from time to time, upon the credit of said county, such sums as may be necessary, not exceeding, in the aggregate, the said sum of twenty-five hundred dollars, and may issue notes of the county therefor, which shall be payable in not more than one year from their respective dates. Notes issued under authority of this act shall bear on their face the words, County of Essex, Industrial Farm Sewer Loan, Act of 1931, and, except as herein provided, shall be subject to chapter thirty-five of the General Laws. Such notes shall be signed by the treasurer of said county and countersigned by a majority of the county commissioners. Said notes may be sold at a discount, such discount to be treated as interest paid in advance. The county may sell such securities at public or private sale and the proceeds shall be used only for the purposes specified in this act.

County of Essex, Industrial Farm Sewer Loan, Act of 1931.

Effective upon acceptance, etc.

Section 3. This act shall take effect upon its acceptance during the current year by the county commissioners of said county, but not otherwise. *Approved June 4, 1931.*

An Act making certain corrections in the general laws relating to game and inland fish. *Chap.* 393

Be it enacted, etc., as follows:

G. L. 10, § 16, etc., amended

Section 1. Section sixteen of chapter ten of the General Laws, as most recently amended by section two of chapter three hundred and seventy-six of the acts of nineteen hundred and twenty-three, is hereby further amended by striking out, in the sixth line, the word "sixty-nine" and inserting in place thereof the words: — one hundred and fifteen, — so as to read as follows: — *Section 16.* He shall invest, reinvest and hold in the name of the commonwealth any money or securities, or the proceeds thereof, received from the department of education under section three of chapter sixty-nine, or from the commissioner of conservation under section one hundred and fifteen of chapter one hundred and thirty-one, or from the trustees of the state library under section thirty-seven A of chapter six, and shall disburse the income or principal thereof on the order of the commissioner of the department having charge of the work in aid of which the gift or bequest was made, or on the order of the trustees

State treasurer may receive and invest trust funds received from department of education, commissioner of conservation and trustees of state library, etc.

of the state library in case of gifts or bequests for the use of the state library; provided, that no disposition of either income or principal shall be made which is inconsistent with the terms of the trust on which the property is held. He shall be responsible on his bond for the faithful management of all such property.

G. L. 131, § 5, amended.

SECTION 2. Section five of chapter one hundred and thirty-one of the General Laws, as appearing in section two of chapter three hundred and ninety-three of the acts of nineteen hundred and thirty, is hereby amended by striking out the comma after the word "commonwealth" in the seventeenth line, — by striking out the word "and" in the same line and inserting in place thereof the word: — or, — and by inserting after the word "family", in the eighteenth line, a comma, — so that the second sentence of said section five will read as follows: — But said last mentioned sections shall not prohibit any person who is a legal resident of the commonwealth or any member of his immediate family, residing on land owned or leased by him, from hunting or trapping on such land or from fishing in any inland waters bordered by such land; provided, that he is or they are actually domiciled thereon, and that the land is used exclusively for agricultural purposes, and not for club, shooting or fishing purposes; and provided, further, that the burden of proof shall rest upon the person claiming such exemptions to show that he is entitled thereto.

Legal resident not prohibited from hunting on own land, etc.

Proviso.

G. L. 131, § 6, etc., amended.

SECTION 3. Section six of said chapter one hundred and thirty-one, as so appearing, as amended by section one of chapter two hundred and sixty-three of the acts of the current year, is hereby further amended by striking out, in the thirty-fourth to thirty-sixth lines, inclusive, the words "Failure or refusal to produce a license issued hereunder upon such demand shall constitute a violation of this section. Whoever", — and inserting in place thereof the words: — Whoever, upon such demand, fails or refuses to produce a license or whoever, — so that the last sentence will read as follows: — Whoever, upon such demand, fails or refuses to produce a license or whoever for the purpose of procuring a license falsely makes any representation or statement required by this section, shall be punished by a fine of not less than ten nor more than fifty dollars, or by imprisonment for not more than one month, or both.

Penalty for failure to produce license or for false representation.

G. L. 131, § 8, par. (2), amended.

SECTION 4. Paragraph (2) of section eight of said chapter one hundred and thirty-one, as so appearing, is hereby amended by inserting after the word "resident", in the eighth and ninth lines, the words: — or in which he last resided, — so that said paragraph (2) will read as follows: — (2) A citizen of the United States, not a resident of this commonwealth for at least six months, for which the fee shall be ten dollars and twenty-five cents; or, if he comes within one of the four following classes and resides or last resided in a state extending like privileges to citizens of this commonwealth, the fee shall be three dollars and twenty-

Sporting and trapping licenses, issue to non-resident citizens, fees.

five cents for a sporting license and five dollars and twenty-five cents for a trapping license; but if the state of which he is a resident or in which he last resided requires a resident of this commonwealth to pay a larger fee for a similar privilege in such state, the fee for such a non-resident shall be equal to that charged by such state. *Class A.* Owner of real estate in the commonwealth assessed for taxation at not less than five hundred dollars. *Class B.* Member of any club or association incorporated prior to nineteen hundred and seven, for the purpose of hunting, fishing or trapping upon land owned by such corporation; provided, that the land owned is equal in value to five hundred dollars for each member and that the membership list of the corporation shall be filed from time to time upon request, and at least annually, with the clerks of the various towns within which such land is located and with the director. *Class C.* Invited guest of a club or association conducting fox hunts and incorporated under the laws of this commonwealth who, on the written invitation of a member of said club or association, attends its meetings for the sole purpose of hunting foxes; provided, that the membership list of such club or association shall be filed from time to time upon request, and at least annually, with the clerk of the town where the hunt takes place and with the director; also, a non-resident member of any such club or association. *Class D.* A citizen of the United States, not a resident of this commonwealth for at least six months, who desires to fish only.

Class A.

Class B.

Proviso.

Class C.

Class D.

Section 5. Section thirty-one of said chapter one hundred and thirty-one, as so appearing, is hereby amended by inserting after the word "director", in the first line, the word: —, supervisor, — so that the first sentence will read as follows: — *Section 31.* The director, supervisor, wardens, deputies and members of the state police may seize and remove, summarily if need be, at the expense of the owner using and maintaining the same, all illegal obstructions, except dams, mills or machinery, to the passage of salt water fish coming into fresh water to spawn.

G. L. 131, § 31, amended.

Director, supervisor, etc., may seize and remove illegal obstructions to the passage of salt water fish, etc.

Section 5A. Section fifty-seven of said chapter one hundred and thirty-one, as so appearing, is hereby amended by inserting after the word "river", in the fifth line, the words: — or its diverted waters, — so as to read as follows: — *Section 57.* Except as provided in section fifty-one, no person shall take or have in possession trout between July thirty-first in any year and April fifteenth of the year following, or between September first and May twenty-ninth of the year following, if taken from the Deerfield river or its diverted waters within the commonwealth, nor shall any person have in possession at any time a trout less than six inches in length, or trout less than twelve inches in length if taken from the Deerfield river or its diverted waters within the commonwealth, unless taken by a person lawfully fishing and immediately returned alive to the water whence it was taken.

G. L. 131, § 57, amended.

Taking of trout from Deerfield river or its diverted waters within commonwealth regulated.

G. L. 131, § 59, amended.

SECTION 6. Section fifty-nine of said chapter one hundred and thirty-one, as so appearing, is hereby amended by inserting after the word "river", in the last line, the words: — or its diverted waters, — so as to read as follows: — *Section 59.* No person shall in any one day take from the waters of the commonwealth a total of more than fifteen trout, nor shall any person in any one day take more than five trout from the Deerfield river or its diverted waters within the commonwealth.

Taking of trout, limit of catch.

Application to Deerfield river, etc.

G. L. 131, § 60, amended.

SECTION 7. Section sixty of said chapter one hundred and thirty-one, as appearing in section two of said chapter three hundred and ninety-three, is hereby amended by inserting after the word "river", in the third line, the words: — or its diverted waters, — so as to read as follows: — *Section 60.* For the purpose of breeding and developing trout, the director may establish restricted areas in the Deerfield river or its diverted waters within the commonwealth, and, subject to approval by the governor and council, make rules and regulations for the taking of fish within such area.

Restricted areas in Deerfield river, etc., within state for purpose of breeding trout.

G. L. 131, § 81, amended.

SECTION 8. Section eighty-one of said chapter one hundred and thirty-one, as so appearing, is hereby amended by striking out the comma after the word "facilities" in the twenty-second line, — so that the second sentence of said section eighty-one will read as follows: — As soon as the fire hazard is deemed to be over the governor, for the purpose of providing just and reasonable facilities for hunting, trapping and fishing, in like manner and with like advice and consent, may extend any such open season for a period or periods not exceeding, in the aggregate, the time of such suspension, and if by reason of any such extension such open season in whole or in part coincides with any other open season in such manner as to cause any conflict in the laws relating thereto, he may in like manner and with like advice and consent postpone such other open season for such time as may be necessary to avoid such conflict.

When fire hazard is over, governor may extend open seasons, etc.

G. L. 131, § 72, amended.

SECTION 9. Section seventy-two of said chapter one hundred and thirty-one, as so appearing, is hereby amended by striking out, in the second line, the word "fourteen" and inserting in place thereof the word: — twenty-four, — so as to read as follows: — *Section 72.* Unless the context otherwise requires, a violation of any provision of sections twenty-four to seventy-one, inclusive, or of any rule or regulation made under authority thereof, for which no other penalty is provided, shall be punished by a fine of not less than ten nor more than twenty-five dollars for each fish in respect to which such violation occurs or each provision, rule or regulation in respect to which such violation occurs.

Penalty for violation of sections 24 to 71, inclusive, etc.

G. L. 131, § 98, amended.

SECTION 10. Section ninety-eight of said chapter one hundred and thirty-one, as so appearing, is hereby amended by striking out, in the second line, the words "November first" and inserting in place thereof the words: — October thirty-first, both dates inclusive, — so that the first sentence

will read as follows: — *Section 98.* No person shall, between March second and October thirty-first, both dates inclusive, set, tend, use or maintain a trap adapted for trapping fur-bearing mammals, and no person shall set or maintain any trap on the improved or enclosed land of another, or on land posted as provided in section one hundred and twenty-three, without the written consent of the owner or occupant, nor shall any trap be placed in a public way, cart road or path commonly used as a passageway for human beings or domestic animals. Restrictions as to setting traps.

Section 11. Section one hundred and sixteen of said chapter one hundred and thirty-one, as so appearing, is hereby amended by striking out, in the seventh line, the word "territory" and inserting in place thereof the word: — use, — so as to read as follows: — *Section 116.* In respect to any territory mentioned in the two preceding sections, the director may make such use of the land, water or shore within the territory as he deems best for the purpose of improving the feeding and nesting environment of birds or mammals, and may from time to time make such rules and regulations relating to such use as he deems proper, and such rules and regulations, when approved by the governor and council, shall have the force of law. The director may liberate birds within the limits of the said territories, and, when in his opinion such action is advisable, co-operate with land owners within such territory in experiments in the propagation of birds or mammals. Whoever violates any provision of such rules or regulations shall be punished by a fine of not less than twenty nor more than one hundred dollars or by imprisonment for not more than two months, or both. G. L. 131, § 116, amended. Rules and regulations for reservations and sanctuaries. Penalty.

Section 12. Section one hundred and eighteen of said chapter one hundred and thirty-one, as so appearing, is hereby amended by striking out, in the first and fifteenth lines, respectively, the word "director" and inserting in place thereof, in each instance, the word: — commissioner, — by striking out, in the second line, the words "close season or a", — by striking out, in the third and fourth lines, the words "or one hundred and sixteen", — and by striking out, in the eleventh line, the words "as to which a close season is ordered as aforesaid", — so as to read as follows: — *Section 118.* If an order is made by the commissioner establishing a wild life sanctuary, as provided in section one hundred and fifteen, he shall cause a copy of the order to be published once a week for two successive weeks in one or more newspapers published in the counties embracing the territory, and shall cause copies of the order to be posted in conspicuous places within the towns where the territory is situated, and also within the limits of the territory itself. If a great pond or any part thereof, or any seashore, is included within the territory, a copy of the order shall be filed in the office of the clerk of any town bordering upon the pond or seashore, and also in the office of the state secretary. An order made by the commissioner in accordance herewith shall take effect G. L. 131, § 118, amended. Publication and posting of order establishing a wild life sanctuary, etc. Effective upon posting.

when posted as above provided, and shall contain a full description of the territory so established and the period for which it is closed.

G. L. 131, § 119, amended.

Section 13. Section one hundred and nineteen of said chapter one hundred and thirty-one, as so appearing, is hereby amended by striking out, in the second and third lines, the words "or a close season has been established upon a territory", — so as to read as follows: — *Section 119.*

Hunting or trapping birds or mammals within wild life sanctuaries forbidden.

Whenever such wild life sanctuary has been established by an order as above provided, no person, except as provided in section one hundred and seventeen, shall hunt or trap any bird or mammal within the said territory, or disturb or injure any nest, eggs or young of such bird or mammal,

Penalty.

or remove the eggs or young from the nest. Whoever violates any provision of this section shall be punished by a fine of not less than twenty nor more than one hundred dollars or by imprisonment for not more than two months, or both.

G. L. 131, § 120, amended.

Section 14. Section one hundred and twenty of said chapter one hundred and thirty-one, as so appearing, is hereby amended by inserting at the beginning thereof the words: — Except as provided in section one hundred and seventeen, — and by striking out, in the fifth and sixth lines, the words "or upon which a close season has been established", — so as to read as follows: — *Section 120.*

Penalty for possession of firearms, etc., upon territory established as a wild life sanctuary.

Except as provided in section one hundred and seventeen, no person shall enter with a firearm or any device adapted for killing or injuring birds or mammals or with a trap or snare upon any territory established in accordance with section one

Penalty.

hundred and fifteen as a wild life sanctuary. Whoever violates any provision of this section shall be punished as provided in the preceding section.

G. L. 131, § 127, amended.

Section 15. Section one hundred and twenty-seven of said chapter one hundred and thirty-one, as so appearing, is hereby amended by striking out, in the seventeenth line, the word "licensee" and inserting in place thereof the words: — holder of a permit, — and by inserting before the word "bird", in the twenty-seventh line, the word: — live, — so

Permit to possess within an enclosure a protected live bird or mammal.

as to read as follows: — *Section 127.* Except as otherwise provided, no person shall have in his possession at any time a live bird or mammal which is protected by this chapter; but a permit to possess within an enclosure such a bird or mammal may be issued by the director in his discretion to any person. Birds and mammals had in possession under

Birds to be tagged if sold for food.

any such permit may be sold at any time, except that if sold for food they shall be killed, and shall be tagged as follows: To the carcass of each bird and to each quarter of each mammal shall be affixed a numbered tag, to be supplied by the director at a cost of five cents each; and an accurate account of birds and mammals so killed and tagged shall be kept by the licensee and submitted to the director on or before December thirty-first of each year, together with the names of any persons to whom they were sold or trans-

ported. Every package containing birds or mammals killed under this section shall be plainly labelled with the name of the holder of a permit by whom such birds or mammals were killed, with the name of the consignee, and with a statement of the number and kind of birds or mammals contained therein. All carcasses or parts thereof shall remain entire and unplucked until the time when they are prepared for consumption as food. The sale of any carcass, or part thereof, not having at the time affixed thereto the tag required by this section, shall be punished as provided in section one hundred and thirty-six. Packages to be labelled. Penalty.

Nothing herein shall be construed to permit the possession of a live bird or mammal by a person purchasing or receiving such bird or mammal from a holder of a permit unless such purchaser or receiver shall also hold a permit under this chapter or be otherwise authorized by this chapter to so possess. Section, how construed.

Section 16. Section one hundred and twenty-eight of said chapter one hundred and thirty-one, as so appearing, is hereby amended by inserting before the word "license", wherever it occurs, the words: — permit or, — and by striking out, in the seventh line, the word "section" and inserting in place thereof the words: — sections one hundred and thirty-one and, — so as to read as follows: — *Section 128.* Any person holding a permit or license under section one hundred and twenty-seven or one hundred and thirty, convicted of any violation of this chapter or of corresponding provisions of earlier law, shall forfeit such permit or license and be debarred from securing a new permit or license for a period of one year from the date of conviction, in addition to being subject to the penalties provided in sections one hundred and thirty-one and one hundred and thirty-six. No person shall be eligible to hold such a permit or license if he has been convicted of any violation of this chapter or of corresponding provisions of earlier law within one year prior to application therefor. G. L. 131, § 128, amended. Forfeiture of licenses.

Section 17. Section one hundred and thirty of said chapter one hundred and thirty-one, as so appearing, is hereby amended by striking out, in the seventh line, the word "license" and inserting in place thereof the word: — permit, — and by adding at the end the words: — or a permit under section one hundred and twenty-seven, — so as to read as follows: — *Section 130.* The director may in his discretion grant to any person a dealer's license authorizing the holder thereof to engage in the business of selling and offering for sale the dead bodies of birds or mammals protected by this chapter and tagged in accordance with section one hundred and twenty-seven or imported under section one hundred and twenty-nine; but a person holding a permit issued under authority of said section one hundred and twenty-seven may sell or offer for sale birds or mammals, alive or dead, in accordance with said section without procuring a license hereunder. No license shall be required of G. L. 131, § 130, amended. Dealer's license.

any person purchasing any such dead body, or part thereof, from a person holding a license hereunder or a permit under section one hundred and twenty-seven.

G. L. 131, § 131, amended.

SECTION 18. Section one hundred and thirty-one of said chapter one hundred and thirty-one, as so appearing, is hereby amended by striking out, in the third line, the words ", or any rule or regulation made thereunder", — so as to read as follows: — *Section 131.* Whoever violates any provision of sections one hundred and twenty-five to one hundred and thirty, inclusive, or counterfeits or uses again any tags used as therein provided, shall for the first offence be punished as provided in section one hundred and thirty-six and for a subsequent offence by imprisonment for not more than three months.

Penalty for violation of sections 125 to 130, inclusive.

G. L. 131, § 134, amended.

SECTION 19. Section one hundred and thirty-four of said chapter one hundred and thirty-one, as so appearing, is hereby amended by striking out, in the next to the last line, the word "license" and inserting in place thereof the word: — certificate, — so that the last sentence will read as follows: — The director may, after a hearing, revoke any such certificate of registration if it appears to him that there has been any violation of this chapter upon the registered premises, and shall not restore such a certificate for a period of one year following its revocation.

Revocation of certificate of registration of a gunning stand or blind.

G. L. 131, § 136, amended.

SECTION 20. Section one hundred and thirty-six of said chapter one hundred and thirty-one, as so appearing, is hereby amended by inserting after the word "each", in the sixth line, the word: — fish, — so as to read as follows: — *Section 136.* Unless the context otherwise requires, a violation of any provision of sections seventy-four to one hundred and thirty-five, inclusive, or of any rule or regulation made under authority thereof, for which no other penalty is provided, shall be punished by a fine of not less than twenty nor more than fifty dollars for each fish, bird or mammal in respect to which such violation occurs or each provision, rule or regulation in respect to which such violation occurs.

Penalty for violation of sections 74 to 135, inclusive, etc.

Approved June 4, 1931.

Chap. 394 AN ACT MAKING CERTAIN CHANGES IN TERMINOLOGY IN THE GENERAL LAWS IN ORDER TO CONFORM WITH EXISTING SUBSTANTIVE LAW.

Be it enacted, etc., as follows:

G. L. 1, § 4, amended.

SECTION 1. Chapter one of the General Laws is hereby amended by striking out section four and inserting in place thereof the following: — *Section 4.* The department of public works, in this chapter called the department, shall in the year nineteen hundred and thirty-five and in every fifth year thereafter inspect all monuments or other marks defining the location of the boundary lines of the commonwealth, and if any of them have been injured, displaced, removed or lost the department shall, in co-operation with persons duly authorized by the adjoining state, restore them

Repair of state boundaries.

or replace them with suitable stone monuments, and in the same manner set suitable stone monuments at points not properly marked where the state boundary is intersected by the boundary of any counties, cities or towns in the commonwealth or by a highway or railroad. If officers of adjoining states are required to make such inspection at other times, the department may co-operate with them.

G. L. 1, § 5, amended.

Section 2. Section five of said chapter one is hereby amended by striking out, in the fifth line, the word "division" and inserting in place thereof the word: — department, — so that the second sentence will read as follows: — Any person desirous of removing and replacing any such monument or mark may apply in writing to the department, who may grant permission therefor under its supervision, first making provision for preserving the exact location of the original boundary or mark, and also giving notice to the adjoining state of the time and place at which proposed action is to be taken.

Permission for removing and replacing boundary marks.

G. L. 1, § 6, amended.

Section 3. Section six of said chapter one is hereby amended by striking out, in the first line, the word "division" and inserting in place thereof the word: — department, — so as to read as follows: — *Section 6.* The department, with the approval of the governor and council, may, upon the application of an agent of the United States, in the name and behalf of the commonwealth, convey to the United States the title of the commonwealth to any tract of land covered by navigable waters and necessary for the purpose of erecting a lighthouse, beacon light, range light or other aid to navigation, or light keeper's dwelling; but such title shall revert to the commonwealth if such land ceases to be used for such purpose.

Conveyance to the United States of land owned by the commonwealth.

G. L. 1, § 8, amended.

Section 4. Section eight of said chapter one is hereby amended by striking out, in the second line, the word "division" and inserting in place thereof the word: — department, — so as to read as follows: — *Section 8.* In connection with their official duties persons employed by the United States geological survey or coast survey, or by the department, may enter upon land and erect works, stations, buildings and appurtenances; provided, that, in case of such entry or erection by persons employed by the United States, it shall make adequate provision by law for compensation for any taking of property thereby.

Officers of United States geological survey or coast survey, or of the department, may enter on land, etc.

Proviso.

G. L. 16, § 7, amended.

Section 5. Section seven of chapter sixteen of the General Laws is hereby amended by striking out, in the third line, the words "of the division of" and inserting in place thereof the words: — in relation to, — by striking out, in the sixth line, the word "it" and inserting in place thereof the words: — the department, — and by striking out, in the eighth line, the words "division of" and inserting in place thereof the words: — department in relation to, — so as to read as follows: — *Section 7.* The commissioner shall make an annual report containing, in addition to other matters required by law the following:

Commissioner of public works to make an annual report.

A list of the expenditures in relation to highways, with such statements relative to the construction and maintenance of public ways and such recommendations as to the general policy of the commonwealth relative thereto as the department considers appropriate.

He shall also make an annual report containing, in addition to other matters required by law, a statement of the acts of the department in relation to waterways and public lands.

G. L. 41, § 67, amended.

Section 6. Section sixty-seven of chapter forty-one of the General Laws is hereby amended by striking out, in the second line, the words "division of highways" and inserting in place thereof the words: — department of public works, — so as to read as follows: — *Section 67.* The selectmen of two or more towns may unitedly, subject to the approval of the department of public works, appoint and fix the compensation of a superintendent of streets who shall exercise the same powers and duties and be otherwise subject to the same provisions of law as if appointed in each of such towns. His compensation shall be paid by said towns in such proportions as the selectmen may unitedly determine.

One superintendent of streets for two or more towns.

G. L. 42, § 7, amended.

Section 7. Section seven of chapter forty-two of the General Laws is hereby amended by striking out, in the first line, the words "division of waterways and public lands" and inserting in place thereof the words: — department of public works, — and by striking out, in the fifth, tenth and thirteenth lines, respectively, the word "division" and inserting in place thereof, in each instance, the word: — department, — so as to read as follows: — *Section 7.* The department of public works may, with the concurrence of towns at town meetings, propose changes, by straightening or otherwise, in the boundary lines of contiguous towns. Such proposed changes shall be submitted to the next regular session of the general court, and, if ratified and accepted by it, said department shall locate and define such changes by determining by triangulation the position of each angle and corner in such new boundary line; and the selectmen of such contiguous towns shall thereafter place such monuments at the new points determined, and place such marks on them, in addition to initials, as the department may prescribe and in the manner required by section four. Monuments marking angles and corners in town boundaries, the position of which has not been changed, shall be re-marked in the manner indicated by said department so as to establish a uniform system of designating the angles and corners of town boundary lines.

Changes in boundary lines of contiguous towns.

G. L. 42, § 8, amended.

Section 8. Section eight of said chapter forty-two is hereby amended by striking out, in the third and in the fifth lines, the word "division" and inserting in place thereof, in each instance, the word: — department, — so as to read as follows: — *Section 8.* If the boundary line between towns is formed wholly or partly by a stream or by a highway, a survey and plan of such stream or highway shall be made

Plan of boundary formed by stream or highway.

by said department, based on the triangulation common to the other town boundary lines, and the plan shall be filed in the office of said department.

Section 9. Section nine of said chapter forty-two is hereby amended by striking out, in the first and in the fourth lines, the word "division" and inserting in place thereof, in each instance, the word: — department, — so as to read as follows: — *Section 9.* The triangulation points established by said department shall be regarded as a part of the evidence of the location of town boundary lines, and a description of the position and marks of such points shall be communicated in writing by said department to the selectmen of the towns where such points are located, and shall be filed with the perambulation records of such towns.

G. L. 42, § 9, amended.

Triangulation points to be evidence of location of lines.

Section 10. Section one of chapter forty-four of the General Laws is hereby amended by striking out the paragraph defining "Division of highways."

G. L. 44, § 1, amended.

Section 11. Section six of said chapter forty-four is hereby amended by striking out, in the seventh line, the words "division of highways" and inserting in place thereof the words: — department of public works, — so as to read as follows: — *Section 6.* Cities and towns may, by a majority vote, incur debt for temporary loans for the payment of land damages or any proportion of the general expenses of altering a grade crossing which they are required primarily to pay, or any proportion of the expense of constructing a highway in anticipation of reimbursement by the commonwealth or county, such reimbursement first having been agreed upon by the department of public works or county commissioners, and may issue notes therefor for a period not exceeding one year from their date; and when any money so paid is repaid to the municipality, it shall be applied to the discharge of the loan. Notes issued under this section shall not be renewed or paid by the issue of new notes, except as provided in section seventeen.

G. L. 44, § 6, amended.

Cities and towns may borrow for temporary loans for payment of land damages, etc.

Section 12. Section six A of said chapter forty-four, inserted by chapter three hundred and sixty-six of the acts of nineteen hundred and twenty-one, is hereby amended by striking out, in the third and fourth lines, the words "division of highways" and inserting in place thereof the words: — department of public works, — and by striking out, in the eighth line, the word "division" and inserting in place thereof the word: — department, — so as to read as follows: — *Section 6A.* If a town has appropriated a sum of money for the purpose of constructing or repairing a highway, to be used with a sum or sums allotted by the department of public works or the county commissioners or by both, and is required primarily to pay that proportion of the expense for which reimbursement is to be received from the commonwealth or county or both, such reimbursement first having been agreed upon by said department or the county commissioners, for the purpose of providing the necessary funds to meet the expense for which reimbursement is to be

G. L. 44, § 6A, amended.

Cities and towns may borrow for highway purposes, to be reimbursed by state or county.

made the treasurer of the town may, with the approval of the selectmen, incur debt outside the debt limit and issue notes therefor for a period not exceeding one year from their dates; and the proceeds of such reimbursement shall be applied to the discharge of the loan.

G. L. 59, § 5, cl. Second, etc., amended.

Section 13. Clause Second of section five of chapter fifty-nine of the General Laws, as most recently amended by chapter two hundred and sixteen of the acts of nineteen hundred and twenty-two, is hereby further amended by striking out, in the eighth and ninth lines, the words "the division of waterways and public lands of", — and by striking out, in the fourteenth line, the word "division" and inserting in place thereof the word: — department, — so as to read as follows: — Second, Property of the commonwealth, except real estate of which the commonwealth is in possession under a mortgage for condition broken, lands in Boston known as the commonwealth flats, if leased for business purposes, lands and flats lying below high water mark in Provincetown harbor, belonging to the commonwealth of Massachusetts and occupied by private persons by license of the department of public works, together with all wharves, piers and other structures which have been built thereon subsequent to the twenty-second day of May, nineteen hundred and twenty, and those which may hereafter be built on said lands and flats, in conformity with permits or licenses granted therefor by said department, which shall be taxed to the persons holding such permits or licenses, buildings erected by lessees under section twenty-six of chapter seventy-five, structures erected on land in state forests by persons occupying such land under authority conferred by the commissioner of conservation, and property taxable under chapter five hundred and seventy-five of the acts of nineteen hundred and twenty.

Property of the commonwealth exempt from taxation.

Exceptions.

G. L. 81, § 2, amended.

Section 14. Section two of chapter eighty-one of the General Laws is hereby amended by striking out, in the third line, the word "division" and inserting in place thereof the word: — department, — so as to read as follows: — *Section 2.* County commissioners and city and town officers who have the care of and authority over public ways shall, on request, furnish the department with any information required by it concerning such ways.

Local officials to furnish information to department.

G. L. 81, § 3, etc., amended.

Section 15. Section three of said chapter eighty-one, as amended by chapter two hundred and sixty of the acts of nineteen hundred and twenty-one, is hereby further amended by striking out, wherever appearing in said section, the word "division" and inserting in place thereof, in each instance, the word: — department, — so as to read as follows: — *Section 3.* Steam road rollers and other road machinery, purchased by the department and owned by the commonwealth shall be managed and maintained under the direction of the department, which may engage competent engineers and mechanics to operate and keep said machines in repair, may purchase all needed materials and supplies,

Department of public works may provide road machinery, etc.

and may incur such other expenses as may be necessary to operate, maintain and transport said machines. Upon the application of the selectmen or road commissioners of a town of not more than twelve thousand inhabitants, the department may furnish such road machinery for use by the town in building or repairing ways therein. The expenses incurred under this section shall be paid by the towns using said machines, as apportioned and directed by the department. For the purpose of providing suitable quarters for the storage and repair of steam road rollers and other road machinery and tools and other equipment owned by the commonwealth, the department may, subject to the approval of the governor and council, acquire by purchase or gift, land and buildings and construct or alter buildings on any land so acquired.

Suitable quarters for storage to be provided.

Section 16. Section four of said chapter eighty-one is hereby amended by striking out, in the fifth line, the word "division" and inserting in place thereof the word: — department, — so as to read as follows: — *Section 4.* If county commissioners, aldermen or selectmen adjudge that public necessity and convenience require that the commonwealth lay out and take charge of a new or existing way as a highway in whole or in part, in their county, city or town, they may apply, by a written petition, to the department, requesting that said way be laid out and taken charge of by the commonwealth.

G. L. 81, § 4, amended.

Petition for laying out state highways.

Section 17. Section five of said chapter eighty-one, as amended by section one of chapter four hundred and twenty-seven of the acts of nineteen hundred and twenty-one, is hereby further amended by striking out, in the first, fourteenth, seventeenth and twenty-second lines, the word "division" and inserting in place thereof, in each instance, the word: — department, — so as to read as follows: — *Section 5.* If the department determines that public necessity and convenience require that such way should be laid out or be taken charge of by the commonwealth, it shall file in the office of the county commissioners for the county where the way is situated a certified copy of a plan thereof, a copy of the petition therefor, and a certified copy of a certificate that it has laid out and taken charge of said way in accordance with said plan, and shall file in the office of the clerk of such town a copy of the plan showing the location of the portion lying in each town and a copy of the certificate that it has laid out and taken charge of said highway in accordance with said plan, and thereafter said way shall be a state highway, and shall be constructed by the department at the expense of the commonwealth; but any state highway so laid out and constructed may be abandoned or discontinued as provided in section twelve. The width of a state highway shall be such as the department deems necessary. If the width of a state highway be less than that of the way previously existing, that portion of the way which lies between the boundary or location lines of the state high-

G. L. 81, § 5, etc., amended.

Laying out state highways.

Abandonment or discontinuance of highways, etc.

Effect when narrower than existing way.

way and the boundary lines of the way previously existing shall remain a public way unless the department determines that it should be abandoned, or the county commissioners of the county, or the city or town in which the way is situated, having jurisdiction of the way, abandon at any time said portion in the manner provided by law for the alteration, relocation or discontinuance of public ways.

G. L. 81, § 6, etc., amended.

Section 18. Section six of said chapter eighty-one, as amended by chapter four hundred and forty-six of the acts of nineteen hundred and twenty-one, is hereby further amended by striking out, in the first and third lines, the word "division" and inserting in place thereof, in each instance, the word: — department, — so as to read as follows: — *Section 6.*

Alteration of location of state highway, etc.

The department may alter the location of a state highway in a city or town by filing a plan thereof and a certificate that the department has laid out and taken charge of said state highway, as altered in accordance with said plan, in the office of the county commissioners for the county where said highway is situated, and by filing a copy of the plan or location as altered in the office of the clerk of such city or town.

G. L. 81, § 7, amended.

Section 19. Section seven of said chapter eighty-one is hereby amended by striking out, in the second and thirteenth lines, the word "division" and inserting in place thereof, in each instance, the word: — department, — so as to read as follows: — *Section 7.*

Taking by eminent domain.

If it is necessary to acquire land for the purposes of a state highway outside the limits of an existing public way, the department may take the same by eminent domain on behalf of the commonwealth under chapter seventy-nine.

Damages.

When injury has been caused to the real estate of any person by the laying out or alteration of a state highway, he may recover compensation therefor from the commonwealth under chapter seventy-nine. The mayor, if so authorized by the aldermen, or the selectmen, if so authorized by the town, may stipulate in writing in behalf of the city or town to indemnify and save harmless the commonwealth against all claims and demands for damages which may be sustained by any persons whose property has been taken for, or has been injured by the laying out or alteration of, any highway which the department proposes to lay out and construct or alter as a state highway, and thereupon such city or town shall be liable ultimately for the amount of any verdict against the commonwealth for such damages, and for costs, and the amount thereof may be recovered by the commonwealth in contract.

G. L. 81, § 8, amended.

Section 20. Section eight of said chapter eighty-one is hereby amended by striking out, wherever appearing in said section, the word "division" and inserting in place thereof, in each instance, the word: — department, — so as to read as follows: — *Section 8.*

Construction of state highways by towns.

The department, when about to construct a highway, shall give to each town in which it lies a copy of the plans and specifications therefor and a notice that the department is ready for its construc-

tion; and said town may, without advertisement, contract with the department for the construction of so much of such highway as lies within its limits, in accordance with the plans and specifications and under the supervision and subject to the approval of the department, at a price agreed upon between the department and said town. If, within ten days, such town does not elect so to contract, or if it has waived the right to contract, the department shall advertise in two or more newspapers published in each county in which the highway lies, and in three or more daily newspapers published in Boston, for sealed proposals for the construction of such highway, stating the time and place for opening such proposals, and reserving the right to reject any and all proposals. If a proposal is satisfactory, the department, with the approval of the governor and council, shall make a contract in writing on behalf of the commonwealth for such construction. After the proposals have been accepted or rejected they shall be kept by the department, and shall be open to public inspection for three years, and may then be destroyed by the department. The department may, in the same manner and under the same conditions, contract with a town, or, if a town shall not elect so to contract, with a person for the grading of a state highway or for furnishing labor, materials or any other element in its construction. The construction of all state highways shall be under the supervision and subject to the approval of the department and in accordance with plans and specifications furnished by it, shall be fairly apportioned by the department among the different counties, and not more than ten miles of state highway shall be constructed, on petition as aforesaid, in any one county in any one year, without the previous written approval of the governor and council.

G. L. 81, § 9, etc., amended.

Section 21. Section nine of said chapter eighty-one, as most recently amended by section sixty-three of chapter three hundred and sixty-two of the acts of nineteen hundred and twenty-three, is hereby further amended by striking out, in the seventh line, the word "division" and inserting in place thereof the word: — department, — so as to read as follows: — *Section 9.* One fourth of any money which may be expended under any provision of sections four to eight, inclusive, for a highway in any county, with interest thereon at the rate of three per cent per annum, shall be repaid by said county to the commonwealth in such instalments and at such times within six years thereafter as the department, with the approval of the comptroller, having regard to the financial condition of the county, shall determine.

Reimbursement of commonwealth for state highways.

G. L. 81, § 10, amended.

Section 22. Section ten of said chapter eighty-one is hereby amended by striking out, in the fifth line, the word "division" and inserting in place thereof the word: — department, — so as to read as follows: — *Section 10.* The mayor, selectmen or road commissioners or the board or

Contributions by cities and towns.

officer having charge of the maintenance and care of highways, if so authorized by the city council or by the town, may agree in writing, in behalf of such city or town, to contribute money, labor or materials toward the cost of any state highway which the department proposes to lay out and construct within such city or town.

G. L. 81, § 11, amended.

Section 23. Section eleven of said chapter eighty-one is hereby amended by striking out, in the first, sixth, tenth and thirteenth lines, the word "division" and inserting in place thereof, in each instance, the word: — department, — so as to read as follows: — *Section 11.* The department shall have the same power as aldermen, selectmen or road commissioners in relation to the purchase or taking of land to furnish materials for the construction, repair or improvement of public ways in the manner provided in section thirty-eight of chapter eighty-two; provided, that all contracts for such purchase and all takings by the department shall first be approved by the governor and council. Such purchases or taking shall not operate in any way to interfere with the control of the police departments of the various municipalities within the land so taken. Land taken under this section shall be held and used for no other purpose than as specified herein; provided, that the department may allow county, city or town officers to use materials from such land for the above specified purposes upon such terms as may be agreed upon. For this purpose the department may expend not more than five thousand dollars in any year. Any person sustaining injury or damage by any taking of land or rights in land under this section may recover compensation therefor from the commonwealth under chapter seventy-nine.

Taking of land to supply road materials.

G. L. 81, § 12, etc., amended.

Section 24. Section twelve of said chapter eighty-one, as most recently amended by chapter one hundred and five of the acts of nineteen hundred and twenty-seven, is hereby further amended by striking out, in the first and tenth lines, the word "division" and inserting in place thereof, in each instance, the word: — department, — so as to read as follows: — *Section 12.* The department, with the concurrence of the county commissioners, may discontinue as a state highway any way or section of way laid out and constructed under the provisions of section five by filing in the office of the county commissioners for the county and in the office of the clerk of the town in which such way is situated a certified copy of a plan showing the way so discontinued and a certificate that it has discontinued such way; and thereafter the way or section of way so discontinued shall be a town way. Said department may also abandon any land or rights in land which may have been taken or acquired by it by filing in the office of the county commissioners for the county and in the office of the clerk of the town in which such land is situated a certified copy of a plan showing the land so abandoned and a certificate that it has abandoned such land, and by filing for record in the registry of deeds

Discontinuance of state highway, etc.

Abandonment of land, etc.

for the county or district in which the land lies a description and plan of the land so abandoned; and said abandonment shall revest the title to the land or rights abandoned in the persons in whom it was vested at the time of the taking, or their heirs and assigns.

G. L. 81, § 14, amended.

Section 25. Section fourteen of said chapter eighty-one is hereby amended by striking out, in the first, sixth and seventh lines, the word "division" and inserting in place thereof, in each instance, the word: — department, — so as to read as follows: — *Section 14.* The department, if it can obtain consent of the owner, shall remove the trees, limbs of trees, shrubbery or any structure or other obstacle from lands bordering upon state highways, which in its opinion obstruct the view of persons traveling upon the highway or make traveling thereon dangerous. If the owner does not desire the material which has been so removed, the department may sell or otherwise dispose of it. The department shall cause all débris resulting from any cutting or trimming done along the state highway, under authority of this or of any other chapter, to be disposed of in such manner that it will not constitute a fire menace to adjoining property.

Clearing trees and other obstructions near state highways.

G. L. 81, § 15, amended.

Section 26. Section fifteen of said chapter eighty-one is hereby amended by striking out, in the first and fourth lines, the word "division" and inserting in place thereof, in each instance, the word: — department, — so as to read as follows: — *Section 15.* The department may contract with the town in which a state highway lies or with a private person or may make other provision for the maintenance and repair thereof in accordance with the regulations of the department and subject to its supervision and approval. Such contracts may be made without previous advertisement.

Maintenance and repair by contract.

G. L. 81, § 18, amended.

Section 27. Section eighteen of said chapter eighty-one is hereby amended by striking out, in the thirteenth line, the word "division" and inserting in place thereof the word: — department, — so that the last sentence will read as follows: — Notice of the injury as required by law shall be given to a member of the department.

Liability for injury from defect in state highway.

Notice.

G. L. 81, § 19, etc., amended.

Section 28. Section nineteen of said chapter eighty-one, as most recently amended by chapter two hundred and seventy-three of the acts of nineteen hundred and twenty-seven, is hereby further amended by striking out, wherever appearing in said section, the word "division" and inserting in place thereof, in each instance, the word: — department, — so as to read as follows: — *Section 19.* A town shall have police jurisdiction over all state highways within its limits. It shall forthwith give written notice to the department or its employees of any defect or want of repair in such highways; but it may make necessary temporary repairs of a state highway without the approval of the department.

Towns to have police jurisdiction over state highways.

To notify department of public works of defects, etc.

Removal of snow and ice by department.

The department shall at the expense of the commonwealth keep such state highways or parts thereof as it may select

Written notice to department by towns upon failure to keep highway clear of ice, etc.

Annual certification to state treasurer of expenditures incurred in each town.

Reimbursement to state.

sufficiently clear of snow and ice to be reasonably safe for travel; and the town in which any such state highway or part thereof lies shall forthwith give written notice to the department or its employees of any failure to keep such highway or part thereof clear of ice and snow as aforesaid. The department shall annually in January certify to the state treasurer the amount of expenditures incurred in each town during the preceding year for keeping such state highways or parts thereof clear of ice and snow as aforesaid. One half the amount of such expenditures, not exceeding fifty dollars per mile in towns with a valuation of less than two million dollars, not exceeding seventy-five dollars per mile in towns with a valuation of two million dollars and less than five million dollars and not exceeding one hundred dollars per mile in cities and towns with a valuation of five million dollars or over, shall be made a part of the state tax for such cities and towns, respectively.

Repayment of excess expenditures to cities and towns electing to keep highways clear of ice, etc.

Exemptions.

If a city or town elects to keep any such state highways or parts thereof clear of ice and snow as aforesaid upon terms and prices agreed upon by it and the department and under the direction of the department, the department shall repay to it, from the annual appropriation for state highways, the amount expended therefor in excess of the amount which such city or town would have been required to repay in case such expenditures had been made by the department. The department may, upon petition, exempt any town from the whole or any part of any payment required hereunder, if in its judgment it would prove an undue burden.

G. L. 81, § 20, amended.

SECTION 29. Section twenty of said chapter eighty-one is hereby amended by striking out, in the first line, the word "division" and inserting in place thereof the word: — department, — so as to read as follows: — *Section 20.*

Construction and maintenance of sidewalks.

The department shall construct and maintain only such portion of a state highway as lies between the lines of the sidewalks nearest to the centre of the way. The sidewalks may be constructed and maintained in accordance with sections twenty-five and twenty-six of chapter eighty-three.

G. L. 81, § 21, amended.

SECTION 30. Section twenty-one of said chapter eighty-one is hereby amended by striking out, in the fourth and ninth lines, the word "division" and inserting in place thereof, in each instance, the word: — department, — so as to read as follows: — *Section 21.*

Digging up state highways.

Planting trees.

No state highway shall be dug up, nor opening made therein for any purpose, and no tree shall be planted or removed or obstruction or structure placed thereon or removed therefrom or changed without the written permit of the department, and then only in accordance with its regulations, and the work shall be done under its supervision and to its satisfaction, and the entire expense of replacing the highway in as good condition as before shall be paid by the persons to whom the permit was given or by whom the work was done; but a town may dig up a state highway without the approval of the department in case of immediate necessity; but in such cases it shall forthwith be

replaced in as good condition as before at the expense of the town.

Section 31. Section twenty-two of said chapter eighty-one is hereby amended by striking out, in the fifth and sixth lines, the word "division" and inserting in place thereof, in each instance, the word: — department, — so as to read as follows: — *Section 22.* No length of possession, or occupancy of land within the limits of a state highway, by an owner or occupant of adjoining land shall give him any title thereto, and any fences, buildings or other obstructions encroaching upon a state highway shall, upon written notice by the department, be removed forthwith by the owner or occupant of adjoining land, and if not so removed, the department may remove the same to such adjoining land. G. L. 81, § 22, amended. State highways not lost by prescription.

Section 32. Section twenty-four of said chapter eighty-one is hereby amended by striking out, in the first and eighth lines, the word "division" and inserting in place thereof, in each instance, the word: — department, — so as to read as follows: — *Section 24.* The department may, whenever any money is appropriated by the general court for its use in the construction or improvement of any particular way, expend such money in constructing or improving the whole or such part of said way as it deems best, either upon the location of the existing way or upon any new location that may be established by the county commissioners or the selectmen, and no part of the way so improved shall thereby become a state highway or be maintained as such. The department may, however, lay out the whole or any part of any such way as a state highway. G. L. 81, § 24, amended. Discretion vested in department.

Section 33. Section twenty-five of said chapter eighty-one, as amended by chapter four hundred and twenty-eight of the acts of nineteen hundred and twenty-one, is hereby further amended by striking out, in the tenth, nineteenth, twenty-second and twenty-ninth lines, the word "division" and inserting in place thereof, in each instance, the word: — department, — so as to read as follows: — *Section 25.* When any public way has been constructed or improved in whole, or in part, with money furnished by the commonwealth, and the way is not laid out as a state highway, the town in which the way lies shall thereafter keep and maintain in good repair and condition that part of the way which has been so constructed or improved; and the expense thereof shall be borne by the town or county, or both, as may be agreed upon at the time such construction or improvement is undertaken. If the department shall determine at any time that such way is not being maintained in proper condition, it shall so notify the mayor or selectmen having charge of the repairs of said way and the county commissioners, and shall specify in said notice what repairs and improvements are necessary; and the officials in charge of the way shall forthwith proceed to make the specified repairs and improvements. If said officials do not make such repairs or improvements G. L. 81, § 25, etc., amended. Repair and maintenance of certain public ways improved with state funds, etc.

within fifteen days from the receipt of such notice, or within such further time as the department may allow, the department may proceed to have the repairs or improvements made, and may pay for the same from any money which may be available for the repair and maintenance of state highways. The department shall annually, in January, certify to the state treasurer the amount of such expenditures during the preceding year. So much of the expenditures as by agreement are to be paid by the towns shall be made a part of the state tax for such towns; and so much of the expenditures as by agreement are to be paid by the counties shall be paid by the county treasurers to the state treasurer. The department may embody the provisions of this section in all contracts and agreements for work to be done in the construction or improvement of public ways, other than state highways, constructed or improved in whole, or in part, with money furnished by the commonwealth.

Certification of expenditures to state treasurer, etc.

G. L. 81, § 26A, amended.

Section 34. Section twenty-six A of said chapter eighty-one, inserted by section one of chapter one hundred and twenty of the acts of nineteen hundred and twenty-one, is hereby amended by striking out, in the sixth and seventh lines, the word "division" and inserting in place thereof, in each instance, the word: — department, — so that the first and second sentences will read as follows: — The county commissioners of the county wherein any public way is to be repaired or improved under the provisions of the preceding section may contribute and expend county funds therefor in accordance with such agreements as the commissioners may make with the department and the selectmen of the town. Said county funds may be paid to the department or to the town from time to time as the work progresses, to the extent that the said commissioners are satisfied that the work for which agreements have been made is being done in accordance therewith.

Counties may contribute, etc., for repair and improvement of public ways in small towns.

G. L. 81, § 28, amended.

Section 35. Section twenty-eight of said chapter eighty-one is hereby amended by striking out, in the first, third, sixth and seventh lines, the word "division" and inserting in place thereof, in each instance, the word: — department, — so as to read as follows: — *Section 28.* The said towns may contract with the department for the performance of the work authorized by section twenty-six; or, if the selectmen so request, the department may have the work done by such persons and in such manner as it may determine, in which event the towns shall pay their proportionate part of the expense when and as ordered by the department. The cost of any materials, machinery or tools purchased by the department for or on account of the work in any town shall be considered as a part of the expenditures in such town under section twenty-six; and such machinery or tools shall belong to the commonwealth.

Performance of the work.

G. L. 81, § 29, etc., amended.

Section 36. Section twenty-nine of said chapter eighty-one, as amended by section two of chapter three hundred and fifteen of the acts of nineteen hundred and twenty-six,

is hereby further amended by striking out, in the first line, the word "division" and inserting in place thereof the word: — department, — so as to read as follows: — *Section 29.* The department shall determine, as nearly as possible, the number of miles of such public ways in towns entitled to the benefits under section twenty-six, and shall inform the selectmen of such towns of the contributions required from them under said section. Determination of contributions required, etc.

Section 37. Section thirty of said chapter eighty-one is hereby amended by striking out, in the first, twenty-first and twenty-eighth lines, respectively, the word "division" and inserting in place thereof, in each instance, the word: — department, — so as to read as follows: — *Section 30.* The department may make all contracts and agreements and do all other things necessary to co-operate with the United States in the construction and maintenance of rural highways, under an act of congress approved on July eleventh, nineteen hundred and sixteen, entitled "An Act to provide that the United States shall aid the states in the construction of rural post roads, and for other purposes", and submit such plans, estimates and programs for the improvement of highways as will meet the requirements of the secretary of agriculture under said act, and it may use therefor any funds which may be available for the construction and maintenance of state highways, and may make any agreements or contracts that may be required to secure federal aid in the construction of highways under the provisions of the act of congress aforesaid, and of all other acts in amendment thereof, or in addition thereto, and may, in such agreements or contracts, provide, among other things, for such labor preferences to honorably discharged soldiers, sailors and marines as are made necessary by federal legislation, and may provide that no other preference or discrimination among citizens of the United States shall be made in connection with the expenditure of any money received from the federal government by virtue of the said legislation, and also any money received from the United States on account of the construction of highways. The department may also, for the purpose of securing federal aid, use any money appropriated by a county, city or town for the construction of a way or any part thereof for which federal aid may be secured, and make contracts or agreements involving the expenditure of said money, provided the county commissioners or the selectmen or duly authorized officials of the city or town have agreed in writing to pay the money thus appropriated upon the order of the department. The department may also maintain the roads constructed under this section or said act of congress, from any money appropriated by the general court for the maintenance of state highways or for the repair or maintenance of other public ways. G. L. 81, § 30, amended. Construction of rural post roads.

Section 38. Section eight of chapter eighty-two of the General Laws, as amended by chapter four hundred and G. L. 82, § 8, etc., amended.

one of the acts of nineteen hundred and twenty-one, is hereby further amended by striking out, in the twelfth line, the words "the division of highways of", — so that the second sentence will read as follows: — They may apportion the expense thereof upon the county and towns, respectively, or they may agree with the towns in which the highway is located or with the department of public works, or both, as to the apportionment of such expense to be paid by the towns, county or state, respectively.

Performance of work of construction of highways.

Apportionment of expense.

G. L. 83, § 4, amended.

SECTION 39. Section four of chapter eighty-three of the General Laws is hereby amended by striking out, in the first line, the words "division of highways of the", — and by striking out, in the twenty-second line, the word "division" and inserting in place thereof the word: — department, — so that the first and last sentences will read as follows: — The department of public works, county commissioners, and the officers having charge of highways in any city or town may construct ditches or drains for the purpose of properly draining any highway, and may carry water away from any highway and over or through any land as they may deem necessary for public convenience or for the proper care or construction of such highway, and may purchase or take by eminent domain under chapter seventy-nine, on behalf of the commonwealth, county, city or town, such land or interest therein as may be necessary therefor.

Drains for highways.

Abandonment, etc., of easement.

The department, board or officers who have taken an easement under this section may discontinue or abandon the same by filing for record in the registry of deeds a suitable instrument.

G. L. 85, § 3, amended.

SECTION 40. Section three of chapter eighty-five of the General Laws is hereby amended by striking out, wherever appearing in said section, the word "division" and inserting in place thereof, in each instance, the word: — department, — so as to read as follows: — *Section 3.* When the name of any public way, place or section, or of any public park, is changed by the board or officer having jurisdiction thereof, if the name changed has been in use for twenty-five years or more, there shall be a right of appeal from such action to the department. Said appeal shall be taken within thirty days after such change, and shall be by petition of at least twenty-five inhabitants of the town in which such change has been made, requesting the reversal of such action. Notice of the filing of such petition shall forthwith be filed by the department in the office of the clerk of the town in which the change has been made, and upon the filing of such petition, a public hearing shall be given by said department, after such public notice as it shall determine, and unless the department shall approve of such change, the same shall be of no effect.

Change of name of ways and parks.

G. L. 85, § 15, amended.

SECTION 41. Section fifteen of said chapter eighty-five is hereby amended by striking out, in the ninth and twelfth lines, the word "division" and inserting in place thereof, in each instance, the word: — department, — so as to read as

follows: — *Section 15.* Every vehicle, whether stationary or in motion, on any public way, shall have attached to it a light or lights which shall be so displayed as to be visible from the front and the rear during the period from one half an hour after sunset to one half an hour before sunrise; provided, that this section shall not apply to any vehicle which is designed to be propelled by hand, or to any vehicle designed for the transportation, as its principal freight, of hay or straw while loaded with such freight, and that upon the written application of the owner of a vehicle and the presentation of reasons therefor the department may, in writing, in such form and subject to such requirements as it may elect, and without expense to the applicant, exempt said vehicle from the provisions of this section for such period of time as said department may elect. Lights on vehicles. Proviso.

Section 42. Section twenty-six of said chapter eighty-five is hereby amended by striking out, in the first line, the word "division" and inserting in place thereof the word: — department, — and by striking out, in the eighth and ninth lines, the words "the division on waterways and public lands of", — and by striking out, in the ninth line, the words: — of public works, — so as to read as follows: — *Section 26.* The department, county commissioners or any city or town in which a draw for the passage of vessels through a bridge used as a way and maintained at the public expense is situated, whichever has control of said bridge, may make ordinances or by-laws regulating the passage of vessels through such draw, not inconsistent with the regulations of the United States on tide water bridges, and may affix penalties not exceeding fifty dollars for each violation thereof; but no such ordinance or by-law shall take effect until approved by the department. G. L. 85, § 26, amended. Drawbridges.

Section 43. Section twenty-seven of said chapter eighty-five is hereby amended by striking out, in the second line, the word "division" and inserting in place thereof the word: — department, — so as to read as follows: — *Section 27.* When such ordinances or by-laws have been approved, the department, county commissioners or the city or town shall place said draw under the direction of a suitable draw tender, and shall post a copy of such ordinances or by-laws in some conspicuous place near by. Such draw tender shall have full control of the passing of vessels through the draw, shall furnish all facilities for such passing, shall allow no detention, having due regard for the public travel, and shall enforce the ordinances or by-laws aforesaid. G. L. 85, § 27, amended. Duties of draw tender.

Section 44. Section thirty-four of said chapter eighty-five, as amended by section one of chapter three hundred and thirteen of the acts of nineteen hundred and twenty-three, is hereby further amended by striking out, in the second line, the word "division" and inserting in place thereof the word: — department, — so as to read as follows: — *Section 34.* Except as otherwise provided in the following section, the department, person or local authorities hav- G. L. 85, § 34, etc., amended. Protection of highway bridges from heavy loads.

ing control of any bridge on any road may maintain notices at each end of such bridge legible at a distance of fifty feet, stating the maximum weight of vehicle with load which the bridge will safely carry to be six tons or over.

G. L. 85, § 35, amended.

SECTION 45. Section thirty-five of said chapter eighty-five, inserted by section two of chapter three hundred and thirteen of the acts of nineteen hundred and twenty-three, is hereby amended by striking out, in the sixth and eighth lines, the word "division" and inserting in place thereof, in each instance, the word: — department, — so as to read as follows: — *Section 35.* No bridge on a public highway having a span in excess of ten feet, except a bridge constructed under the provisions of chapter one hundred and fifty-nine, shall be constructed or reconstructed by any county or town except in accordance with plans and specifications therefor approved by the department. Said department shall approve or alter to meet its approval all such plans submitted to it and shall determine the maximum load which any such bridge may safely carry, and the department or the local authorities having control of such bridge may maintain notices at each end thereof, legible at a distance of fifty feet, stating the maximum weight of vehicle with load which the bridge will safely carry. The owner of a vehicle operated on any bridge posted under this or the preceding section shall be responsible for all damage resulting thereto if the weight of the vehicle and load exceeds the maximum load as posted under this or the preceding section, as the case may be, and the amount of the damage may be recovered in an action at law by the person or authorities charged with the maintenance of the bridge. Any person operating a vehicle, the weight of which with its load exceeds the maximum weight as posted under this or the preceding section, that causes damage to a bridge so posted shall be punished by a fine of not more than two hundred dollars.

Department of public works to approve plans, etc., of certain highway bridges.

To determine maximum load, etc.

Responsibility of owners of vehicles, etc.

Penalty.

G. L. 87, § 8, amended.

SECTION 46. Section eight of chapter eighty-seven of the General Laws is hereby amended by striking out, in the first line, the words "division of highways of the", — by striking out, in the second line, the word "division" and inserting in place thereof the word: — department, — by striking out, in the seventh line, the word "commission" and inserting in place thereof the word: — department, — and by striking out, in the ninth and tenth lines, the word "division" and inserting in place thereof, in each instance, the word: — department, — so as to read as follows: — *Section 8.* The department of public works, in this chapter called the department, shall have the care and control of all trees, shrubs and growths within state highways, and may trim, cut or remove such trees, shrubs and growths, or license the trimming, cutting or removal thereof. No such tree, shrub or other growth shall be trimmed, cut or removed by any person other than an agent or employee of the department, even if he be the owner of the fee in the land on which such tree, shrub or growth is situated, except upon a permit in

Trees on state highways.

Exception, etc.

writing from the department. Any person injured in his property by the action of the department as to the trimming, cutting, removal or retention of any such tree, shrub or other growth, may recover the damages, if any, which he has sustained, from the commonwealth under chapter seventy-nine. Property damages, recovery.

Section 47. Section nine of said chapter eighty-seven is hereby amended by striking out, in the sixth and tenth lines, the word "division" and inserting in place thereof, in each instance, the word: — department, — so as to read as follows: — *Section 9.* Whoever affixes to a tree in a public way or place a notice, sign, advertisement or other thing, whether in writing or otherwise, or cuts, paints or marks such tree, except for the purpose of protecting it or the public and under a written permit from the officer having the charge of such trees in a city or from the tree warden in a town, or from the department in the case of a state highway, shall be punished by a fine of not more than fifty dollars. Tree wardens shall enforce the provisions of this section; but if a tree warden fails to act in the case of a state highway within thirty days after the receipt by him of a complaint in writing from the department, the department may proceed to enforce this section. G. L. 87, § 9, amended. Signs and marks on shade trees.

Section 48. Section thirty-one A of chapter ninety of the General Laws, inserted by chapter four hundred and fifty-seven of the acts of nineteen hundred and twenty-four, is hereby amended by striking out, in the first, seventh and twentieth lines, the word "division" and inserting in place thereof, in each instance, the word: — department, — so as to read as follows: — *Section 31A.* The department after a public hearing may make, and may alter, rescind or add to, rules and regulations for the reasonable and proper control and regulation of the transportation by motor vehicle of personal property over the ways of this commonwealth, except ways under the control of the metropolitan district commission. Said rules and regulations shall cover, among other matters which the department may deem necessary or desirable, the fixing of routes with respect to the physical capacity of such ways to carry traffic; the establishment of the maximum weight of loads per commercial motor vehicle and per inch of tire in contact with the surface of such ways; the maximum dimensions of loads; and the regulation of the rate of speed of such vehicles over such ways. Said rules and regulations and any changes therein shall be subject to approval, and shall take effect, in the manner provided by section six of chapter sixteen. Any person convicted of a violation of any rule or regulation made under this section shall be punished by a fine of not more than twenty-five dollars, and in case of a second or subsequent offence the registration of the vehicle or vehicles involved shall be suspended for such length of time as the department may determine. G. L. 90, § 31A, amended. Transportation of personal property over public ways by motor vehicles regulated. Penalty.

Section 49. Section one of chapter ninety-one of the General Laws, as amended by section one of chapter one G. L. 91, § 1, etc., amended.

hundred and six of the acts of nineteen hundred and twenty-seven, is hereby further amended by striking out the last paragraph, as printed in the General Laws, and inserting in place thereof the following: —

Definition. Department.

"Department", the department of public works.

G. L. 91, § 2, amended.

Section 50. Section two of said chapter ninety-one is hereby amended by striking out, in the first line, the word "division" and inserting in place thereof the word: — department, — so that the first sentence will read as follows: — The department shall, except as otherwise provided, have charge of the lands, rights in lands, flats, shores and rights in tide waters belonging to the commonwealth, and shall, as far as practicable, ascertain the location, extent and description of such lands; investigate the title of the commonwealth thereto; ascertain what parts thereof have been granted by the commonwealth; the conditions, if any, on which such grants were made, and whether said conditions have been complied with; what portions have been encroached or trespassed on, and the rights and remedies of the commonwealth relative thereto; prevent further encroachments and trespasses; ascertain what portions of such lands may be leased, sold or improved with benefit to the commonwealth and without injury to navigation or to the rights of riparian owners; and may lease the same.

Duties of department relative to commonwealth lands.

G. L. 91, § 2A, amended.

Section 51. Section two A of said chapter ninety-one, inserted by section one of chapter two hundred and sixty-four of the acts of nineteen hundred and twenty-five, is hereby amended by striking out, in the first, sixteenth and twenty-second lines, the word "division" and inserting in place thereof, in each instance, the word: — department, — so as to read as follows: — *Section 2A.* The department, having charge under section two of the lands, pier, structures and other property in the town of Plymouth belonging to the commonwealth which were acquired, built or improved by the Pilgrim tercentenary commission under chapter one hundred and eighty-seven of the Special Acts of nineteen hundred and nineteen, may repair, alter and maintain said pier and other structures, and if it deems it advisable remove said pier, or may equip, operate and administer the same for the benefit of the commonwealth, and may from time to time make such rules and regulations, and may charge such reasonable rates for the use of said pier and equipment, as shall be approved by the governor and council. All receipts hereunder shall be paid into the state treasury. The town of Plymouth shall have police jurisdiction over said lands, pier and other property. Subject to appropriation and with the approval of the governor and council, the department may arrange with said town or with any appropriate memorial or historical society for the care, maintenance and use of said lands, pier and other property or any part or parts thereof, and said town is hereby authorized to appropriate money to pay the costs and expenses of such care and maintenance. With the approval of the governor and council, the department may sell and convey or lease said pier.

Powers and duties of department of public works in connection with state property in town of Plymouth acquired in connection with Pilgrim tercentenary.

Town of Plymouth to have police jurisdiction, etc.

Care, maintenance, etc., of property.

Sale and lease of pier.

Section 52. Section three of said chapter ninety-one is hereby amended by striking out, in the first, thirteenth and eighteenth lines, the word "division" and inserting in place thereof, in each instance, the word: — department, — by striking out, in the eighth line, the words "the preceding", — and by inserting after the word "section" in the eighth and ninth lines the word: — two, — so as to read as follows: — G. L. 91, § 3, amended.

Section 3. The department shall have all the rights, powers and duties transferred to the directors of the port of Boston under section four of chapter seven hundred and forty-eight of the acts of nineteen hundred and eleven in respect to lands, rights in lands, flats, shores, waters and rights belonging to the commonwealth in tide waters and land under water in Boston harbor, or which adjoin the same or are connected therewith, and shall have the same powers and duties relative thereto as it has with respect to the Commonwealth flats under section two. It may, in accordance with such plans as it adopts, excavate and dredge in Boston harbor wherever public convenience and necessity require. It shall at all times have access to any maps, charts, plans and documents in the custody of any public board, commission or officer relating to waters and lands in charge of the department, shall have immediate charge of lands owned or acquired by the commonwealth upon or adjacent to the Boston harbor front, except lands under control of the metropolitan district commission, and shall have charge of the construction of piers and other public works in said harbor, shall administer all terminal facilities under control of the department and shall secure and keep full information as to the present and probable future requirements of steamships and shipping and the best means which can be provided at the port of Boston for the accommodation of steamships, railroads, warehouses and industrial establishments. Powers as to part of Boston harbor.

Section 53. Section four of said chapter ninety-one is hereby amended by striking out, wherever appearing in said section, the word "division" and inserting in place thereof, in each instance, the word: — department, — so as to read as follows: — G. L. 91, § 4, amended.

Section 4. The department shall undertake such work for the improvement, development, maintenance and protection of Boston harbor as it deems reasonable and proper. It may, with the approval of the governor and council, grade and suitably surface any railroad locations or traffic ways which are or may be located on lands, flats or rights therein, owned or acquired by the commonwealth in Boston harbor, and may carry said ways or railroads over or under any railroad or railway location or public way in order to eliminate crossings at grade, and may provide suitable and convenient track connections between the rails serving any pier or piers and those of any existing or proposed railroad that now reaches or hereafter may reach Boston. All piers controlled by the department shall be accessible and open to all teaming and lighterage traffic, subject to such regulations as the department may from time to time make. Upon application to the department, any railroad company Development of Boston harbor.

Access to piers, railroads, etc.

that now reaches or hereafter may reach Boston, either by its own rails or under trackage or traffic contract or agreement with any other railroad company, shall be provided by the department with a track connection with the tracks serving such pier or piers.

G. L. 91, § 5, amended.

Section 54. Section five of said chapter ninety-one is hereby amended by striking out, wherever appearing in said section, the word "division" and inserting in place thereof, in each instance, the word: — department, — so as to read as follows: — *Section 5.* With the consent of the governor and council, the department may take by eminent domain under chapter seventy-nine or acquire by purchase or otherwise, and hold, such real property and such rights and easements therein as the department may from time to time consider necessary for the purpose of constructing, or securing the constructing or utilizing of, piers and, in connection therewith, highways, waterways, railroad connections, storage yards and sites for warehouses and industrial establishments, and may lay out and build thereon, and upon such other lands within its jurisdiction under section three, such piers, with buildings and appurtenances, docks, highways, waterways, railroad connections, storage yards and public warehouses as the department deems desirable; provided, that if general plans bearing the signed approval of the department, given after due notice and a hearing, describing the property and showing the location and character of any proposed docks, piers, wharves, warehouses, factories, power plants, and industrial terminals, of adequate and proper design and general suitability for the purposes for which they are to be used, shall be filed with the department, together with a notice signed by the owners or lessees or by others having legal rights in the premises stating that they propose to construct upon the property described the improvements shown by said plans and claiming exemption from the taking by eminent domain as herein authorized of any of such property, including the lands upon which said improvements are to be constructed, then said land and said improvements shall not be taken by the department by right of eminent domain without authorization of the general court granted within forty years after the date of filing of said plans, if substantial construction in general accordance with such plans is actually begun in good faith within one year after the date of approval by the department of the plans, and if said improvements are finished substantially in accordance therewith within five years after the beginning of construction of said improvements unless the department shall extend the time within which said improvements shall be completed; and provided, that after completion, said improvements during said period of forty years are kept in suitable repair and are used for the purposes to which said approval applied, and provided, that if general plans bearing the signed approval of the department, given after due notice and a hearing, and describing the property, and the

Department may take and hold real estate, etc., and build thereon.

Provisos.

location and character of any existing docks, piers, wharves, warehouses, factories, power plants, and industrial terminals, and certifying that they are of proper design and adequate and suitable for the purposes for which they are to be used, and that they are in proper condition and in thorough repair, shall be filed with the department, together with a notice signed by the owners or lessees, or others having legal rights in the premises and claiming exemption from the taking by eminent domain as authorized by this section of any such property, including the lands upon which said improvements have been constructed, then said land and said improvements shall not be taken by the department by the right of eminent domain without authorization of the general court granted within forty years after the date of the approval by the department, if during that time such property is kept in suitable repair and is used for the purposes to which said approval applied; and provided, that none of the exemptions from the right of eminent domain herein provided for shall apply to the taking by the department of any property necessary for providing suitable and convenient track connections between the rails serving any piers that may be built, or acquired or improved under sections four and five or may have been built or acquired or improved under corresponding provisions of earlier laws, and the rails of any existing or proposed railroad that reaches or may reach Boston.

G. L. 91, § 6, amended.

Section 55. Section six of said chapter ninety-one is hereby amended by striking out, wherever appearing in said section, the word "division" and inserting in place thereof, in each instance, the word: — department, — so as to read as follows: — *Section 6.* The department may lease for a period not exceeding twenty years, under such covenants and conditions as it prescribes, storage facilities, wharves, piers, bulkheads, docks, sheds, warehouses, foreshores and industrial locations in Boston harbor within its charge. It may lease sites for warehouses and industrial locations for a longer period, but every lease of such sites for a period exceeding twenty years shall provide for a readjustment of the rental at intervals of not more than twenty years. No lease for a term exceeding five years shall be valid until approved by the governor and council. The income from all wharfage and storage rates, use of cranes, lighterage, dockage and other charges, and from the leases of lands, storage structures, wharves, piers, docks, sheds, warehouses and industrial sites, all moneys received by the commonwealth under section twenty-one for tide water displacements in Boston harbor, and all moneys hereafter received which on May twenty-eighth, nineteen hundred and twelve, were required to be paid into the Commonwealth's Flats Improvement Fund, shall be collected by the department and paid to the commonwealth, to the credit of the Port of Boston Fund. Said fund may be invested by the state treasurer at his discretion from time to time as provided for the invest-

Power to lease wharves, piers, etc.

Port of Boston Fund.

ment of the commonwealth's funds; and all income from such investments shall be added to the fund. The department may expend the Port of Boston Fund to operate, maintain, repair and preserve the property in Boston harbor in the control of the department, and such sums as the legislature may appropriate annually for salaries, office expenses, and general engineering expenses in connection with the work of the department in Boston harbor shall be paid so far as possible from said fund; any balance remaining from said fund after the aforementioned expenses have been paid shall be applied to the payment of interest and to the annual payments on account of principal of any securities which may have been or may be issued to raise money to be expended by the department for the development of the port of Boston.

G. L. 91, § 7, amended.

SECTION 56. Section seven of said chapter ninety-one is hereby amended by striking out, wherever appearing in said section, the word "division" and inserting in place thereof, in each instance, the word: — department, — so as to read as follows: — *Section 7.*

Equipment of piers, etc.

All piers and other similar structures in Boston harbor built by the department or its predecessors shall be equipped, either by the department or by the lessees thereof, with fireproof sheds, railway tracks, cranes and other machinery and accommodations for the convenient, economical and speedy loading and discharge of freight; and the department may acquire, hold and operate such lighters and other vessels as it deems convenient and needed therefor. The department shall make such reasonable rules and regulations and charge such reasonable rates for the use of such structures and equipment as it may from time to time deem wise.

G. L. 91, § 8, amended.

SECTION 57. Section eight of said chapter ninety-one is hereby amended by striking out, in the first, fifth and eighth lines, the word "division" and inserting in place thereof, in each instance, the word: — department, — so as to read as follows: — *Section 8.*

To acquire title, etc., to Apple island, etc.

The department shall take all proper measures to obtain from Boston, without expense to the commonwealth, a conveyance of all the present right, title and interest of said city in and to Apple island, and the flats appurtenant thereto, and in and to any other flats and rights of said city on the easterly side of East Boston, which the department deems are required for the development contemplated by section four, and said Boston may make such conveyance, and in furtherance of the development of the port make conveyance to the department or others, but only for maritime or commercial improvement, of any shore lands owned by it elsewhere, acquired either by purchase or taking.

G. L. 91, § 9, amended.

SECTION 58. Section nine of said chapter ninety-one is hereby amended by striking out, in the first line, the word "division" and inserting in place thereof the word: — department, — so as to read as follows: — *Section 9.*

To make plans, etc., for the utilization of acquired property.

The department shall make, and, so far as practicable, put into execution, comprehensive plans providing, on the lands now

owned or hereafter acquired by the commonwealth in Boston harbor, adequate piers, capable of accommodating the largest vessels, and in connection with such piers suitable highways, waterways, railroad connections and storage yards, and sites for warehouses and industrial establishments.

G. L. 91, § 10, amended.

Section 59. Section ten of said chapter ninety-one is hereby amended by striking out, in the first line, the word "division" and inserting in place thereof the word: — department, — so as to read as follows: — *Section 10.* The department shall have general care and supervision of the harbors and tide waters within the commonwealth, of the flats and lands flowed thereby, of the waters and banks of the Connecticut river and the banks and waters of the non-tidal portion of the Merrimack river and of all structures therein, in order to prevent and remove unauthorized encroachments and causes of every kind which may injure said Connecticut river or said part of Merrimack river or interfere with the navigation of such harbors, injure their channels or cause a reduction of their tide waters, and to protect and develop the rights and property of the commonwealth in such waters, flats and lands; and it may make such surveys, examinations and observations as it deems necessary therefor.

Powers and duties relative to harbors, etc.

G. L. 91, § 11, amended.

Section 60. Section eleven of said chapter ninety-one is hereby amended by striking out, in the first and sixth lines, the word "division" and inserting in place thereof, in each instance, the word: — department, — so as to read as follows: — *Section 11.* Outside of Boston harbor, the department shall undertake such work for the improvement, development, maintenance and protection of rivers, harbors, tide waters and foreshores as it deems reasonable and proper, and for this purpose shall have the same powers conferred upon it by section thirty-one. In selecting the places to do such work, the department shall consider the general public advantage of the proposed work, the local interest therein as manifested by municipal or other contributions therefor, the importance of the industrial or commercial and other interests to be especially served thereby, and any other material considerations affecting the feasibility, necessity or advantage of the proposed work or the expenditure therefor. No work authorized by this section shall be begun until after a public hearing has been held and a survey and an estimate of the cost has been made.

Improvement and preservation of rivers, harbors, etc.

G. L. 91, § 12, etc., amended.

Section 61. Section twelve of said chapter ninety-one, as amended by section one of chapter two hundred and sixty-two of the acts of nineteen hundred and twenty-two, is hereby further amended by striking out, wherever appearing in said section, the word "division" and inserting in place thereof, in each instance, the word: — department, — so as to read as follows: — *Section 12.* The department may license and prescribe the terms for the construction or extension of a dam, road, bridge, or other structure, or the filling of land, the driving of piles, or the making of excavations, in, over, or upon the waters below high water mark of the Connecticut

Department may license certain structures in Connecticut, Westfield and Merrimack rivers.

river or of that part of the Westfield river, in the towns of West Springfield and Agawam, lying between the confluence of said river with the Connecticut river and the bridge across said river at Suffield street in the said town of Agawam, and in, over and upon the waters of the non-tidal part of the Merrimack river below high water mark; and the provisions of this chapter shall apply to all such licenses. Every erection made, and all work done on or within the banks of the Connecticut river, of said part of the Westfield river or of said part of the Merrimack river, below high water mark, not authorized by the general court or by the department, or made or done in a manner not sanctioned by the department, without a license as hereinbefore provided, shall be considered a public nuisance. The attorney general and the district attorneys within their respective districts shall, at the request of the department, institute proceedings to enjoin or abate any such nuisance. This section and any such license shall not impair the legal rights or remedies of any person.

G. L. 91, § 13, amended.

SECTION 62. Section thirteen of said chapter ninety-one is hereby amended by striking out, in the first and eighth lines, the word "division" and inserting in place thereof, in each instance, the word: — department, — so as to read as follows: — *Section 13.* The department may license any person to construct and maintain booms in or across the Connecticut river, for periods of not more than five years, in such locations and upon such terms as it prescribes, or to build and extend a wharf, pier or shore wall below high water mark in said river, or to build or extend a wharf, pier, dam, wall, road, bridge or other structure, or to drive piles, fill land or excavate in or over the waters of any great pond below natural high water mark, or at or upon any outlet thereof, upon such terms as the department prescribes; but such license shall not validate acts beyond the line of riparian ownership or affecting the level of the waters in such pond, unless approved by the governor and council.

Licenses in Connecticut river and great ponds as to booms, etc.

G. L. 91, § 16, amended.

SECTION 63. Section sixteen of said chapter ninety-one is hereby amended by striking out, in the second and twenty-first lines, the word "division" and inserting in place thereof, in each instance, the word: — department, — so as to read as follows: — *Section 16.* Every authority or license granted since eighteen hundred and sixty-eight by the general court or by the department or its predecessors to any person to build or extend a wharf or other structure upon, or to drive piles in, or to fill or otherwise occupy, land in tide or navigable water, within Boston harbor, which is revocable at the discretion of the general court, and every other similar right or privilege within Boston harbor which is so revocable, whether or not compensation has been paid under any provision of law or otherwise, shall hereafter cease and determine, or be subject to forfeiture, in case of non-use of the same for an unreasonable time without reasonable cause, and it shall be prima facie evidence that the same is held

Certain authority heretofore granted in Boston harbor to cease, etc.

unused in restraint of trade when the tendency of such non-use is to prevent competition in its broad and general sense, unless such person has, prior to July twenty-eighth, nineteen hundred and twelve, made reasonable and substantial use of structures, or has reasonably and substantially occupied land in tide or navigable waters, for the purposes for which the authority or license was granted; and thereupon, every such authority or license and every similar right and privilege shall cease and determine on repayment, or tender of repayment, by the commonwealth of compensation therefor to the amount which shall have been paid to the commonwealth in accordance with the terms of such authority or license; and the department and the attorney general shall cause a proper certificate of the revocation of such authority or license to be recorded forthwith in the registry of deeds for the county where such structure was built or work done.

G. L. 91, § 17, amended.

How licenses to be construed.

Approval.

Section 64. Section seventeen of said chapter ninety-one is hereby amended by striking out, in the tenth line, the word "division" and inserting in place thereof the word: — department, — so that the second sentence will read as follows: — All things done under such license or authority shall be subject to the approval of the department.

G. L. 91, § 18, amended.

Licenses, form of; how granted, etc.

Section 65. Section eighteen of said chapter ninety-one is hereby amended by striking out, in the second, fifth and ninth lines, the word "division" and inserting in place thereof, in each instance, the word: — department, — so as to read as follows: — *Section 18.* Every license granted under this chapter shall be signed by the department, shall state the terms on which it is granted and specify by metes, bounds and otherwise the location, dimensions and limits and the mode of performing the work authorized thereby. Before a license is granted, the department shall give notice to the aldermen or selectmen of the town where the work is to be performed that they may be heard. The recital in a license that a notice required by law has been given, or that the aldermen or selectmen have not objected, shall be conclusive evidence of such facts. The department shall keep a record of each license and a plan of the work or structure. Such license shall be void unless, within one year after its date, it and the accompanying plan are recorded in the registry of deeds for the county or district where the work is to be performed.

G. L. 91, § 18A, amended.

Right of way for public access to great ponds.

Section 66. Section eighteen A of said chapter ninety-one, inserted by chapter four hundred and fifty-three of the acts of nineteen hundred and twenty-three, is hereby amended by striking out, in the third and fourth lines, the words "the division of waterways and public lands of", — and by striking out, in the fourth and fifth lines, the words "of public works", — so that the first sentence will read as follows: — Upon petition of ten citizens of the commonwealth that in their opinion public necessity requires a right of way for public access to any great pond within the commonwealth, the department and the attorney general or a

representative designated by him sitting jointly shall hold a public hearing and receive such evidence thereon as may be presented to them.

G. L. 91, § 20, amended.

SECTION 67. Section twenty of said chapter ninety-one is hereby amended by striking out, wherever appearing in said section, the word "division" and inserting in place thereof, in each instance, the word: — department, — so as to read as follows: — *Section 20.* Whoever is authorized by the general court to build over tide waters a bridge, wharf, pier or dam, to fill flats or drive piles below high water mark, or to build any structures in the Connecticut river, or in the non-tidal part of the Merrimack river, or to build or extend any structure or to do any other work mentioned in the preceding section in, over or upon the waters of any great pond, shall not commence such work until he has given written notice thereof to the department and submitted plans of any proposed structure, the flats to be filled, and the manner in which the work is to be performed, and the same has been approved in writing by the department, which may alter such plans and prescribe any direction, limits and manner of doing the work consistent with the legislative grant. Such works shall be supervised by the department.

Department to have supervision of erections, etc., in tide waters, ponds, etc., under legislative grants.

G. L. 91, § 21, amended.

SECTION 68. Section twenty-one of said chapter ninety-one is hereby amended by striking out, wherever appearing in said section, the word "division" and inserting in place thereof, in each instance, the word: — department, — so as to read as follows: — *Section 21.* The amount of tide water displaced by any structure below high water mark, or any filling of flats, shall be ascertained by the department, which shall require the persons who cause such displacement to make compensation therefor by excavating, under its direction, between high and low water mark in some part of the same harbor a basin for a quantity of water equal to that displaced; or by paying to the commonwealth, in lieu of such excavation, an amount assessed by the department, not exceeding thirty-seven and one half cents per cubic yard of water displaced; or by improving the harbor in any other manner satisfactory to the department. An assessment for tide water which has been displaced may be recovered in contract in the name of the state treasurer.

Compensation for tide water displaced.

G. L. 91, § 22, amended.

SECTION 69. Section twenty-two of said chapter ninety-one is hereby amended by striking out, in the second line, the word "division" and inserting in place thereof the word: — department, — so as to read as follows: — *Section 22.* If authority or a license is granted by the general court or by the department to a person to build a wharf or other structure upon, or to fill or otherwise occupy, land in tide water, or to build or extend any structure or drive piles, fill land or make any obstruction, encroachment or excavation in, over or upon the waters of any great pond, he shall, before the work is begun, pay to the commonwealth such compensation for the rights granted in any land the title to which is

Additional compensation when title to land is in the commonwealth.

in the commonwealth as shall be determined by the governor and council. This section shall not apply to authority granted to a county, city or town for the construction, widening or maintenance of a bridge constituting a part of a highway.

G. L. 91, § 23, amended.

Section 70. Section twenty-three of said chapter ninety-one is hereby amended by striking out, in the fourth, fifth and eighth lines, the word "division" and inserting in place thereof, in each instance, the word: — department, — so as to read as follows: — *Section 23.* Every erection made and all work done within tide water, or within the waters of a great pond or outlet thereof, or on or within the banks of the Connecticut river, or the Merrimack river, below high water mark, not authorized by the general court or by the department, or made or done in a manner not sanctioned by the department, if a license is required as hereinbefore provided, shall be considered a public nuisance. The attorney general or the district attorneys within their respective districts shall, at the request of the department, institute proceedings to enjoin or abate such nuisance, or to restrain the removal of material from any bar or breakwater of any harbor.

Unauthorized erections, etc., in tide waters to be nuisances.

G. L. 91, § 25, amended.

Section 71. Section twenty-five of said chapter ninety-one is hereby amended by striking out, in the first line, the word "division" and inserting in place thereof the word: — department, — so as to read as follows: — *Section 25.* The department shall have general supervision of so much of the province lands at Provincetown as lies north and west of a line beginning at a point at or near the shore of Provincetown harbor, in latitude north forty-two degrees, two minutes, and longitude west seventy degrees, eleven minutes, forty-five seconds; thence northwesterly to a point in latitude north forty-two degrees, three minutes, eight seconds, and longitude west seventy degrees, twelve minutes, forty-eight seconds; thence northeasterly to a point in latitude north forty-two degrees, three minutes, twenty-eight seconds, and longitude west seventy degrees, eleven minutes, thirty-three seconds; thence due north to a point in latitude north forty-two degrees, three minutes, forty-eight seconds; thence due east to a point in the eastern boundary of the province lands.

Powers and duties relative to province lands.

G. L. 91, § 27, amended.

Section 72. Section twenty-seven of said chapter ninety-one is hereby amended by striking out, in the first line, the word "division" and inserting in place thereof the word: — department, — so as to read as follows: — *Section 27.* The department shall fix and mark the bounds of the province lands within its jurisdiction and establish regulations for the care thereof

Bounds, etc., of province lands.

G. L. 91, § 29, amended.

Section 73. Section twenty-nine of said chapter ninety-one is hereby amended by striking out, in the fourth and seventh lines, the word "division" and inserting in place thereof, in each instance, the word: — department, — so as to read as follows: — *Section 29.* A town may appropriate money for the improvement of rivers, harbors, tide waters

Cities and towns may appropriate

money and assume liabilities for certain improvements, etc.

and foreshores within its jurisdiction, and the money so appropriated shall be paid to the state treasurer and be expended by the department for said purposes within the limits of such town; and the town may also assume liability for all damages to property suffered by any person by any taking of land, or of any right, interest or easement therein, within the town made by said department for the purposes hereinbefore authorized.

G. L. 91, § 30, amended.

Section 74. Section thirty of said chapter ninety-one is hereby amended by striking out, in the first and sixth lines, the word "division" and inserting in place thereof, in each instance, the word: — department, — so that the first sentence will read as follows: — If it appears to the department that the digging or removal of stones, gravel, sand or other material, upon or from any beach, shore, bluff, headland, island or bar, in or bordering on tide waters, or the destruction of any trees, shrubs, grass or other vegetation growing thereon, is, or is likely to prove, injurious to any harbor or other navigable tide waters, the department may, by written notice, prohibit such digging or removal, or the doing of any acts injurious to such trees or other vegetation, upon or from any such beach or other place aforesaid specified in such notice.

Prohibition of removal of gravel, etc., from beaches.

G. L. 91, § 31, amended.

Section 75. Section thirty-one of said chapter ninety-one is hereby amended by striking out, in the first line, the word "division" and inserting in place thereof the word: — department, — so as to read as follows: — *Section 31.* The department may make surveys and improvements for the preservation of harbors and may repair damages occasioned by storms or other destructive agencies along the coast line or river banks of the commonwealth, and may take by eminent domain under chapter seventy-nine, or acquire by purchase or otherwise, in the name and behalf of the commonwealth, any land or materials necessary for making such improvements or repairs. No contract made under the authority of this section shall be valid until approved in writing by the governor and council.

Surveys, improvements, etc., of harbors; land may be taken therefor.

Contracts to be approved.

G. L. 91, § 32, amended.

Section 76. Section thirty-two of said chapter ninety-one is hereby amended by striking out, in the first line, the word "division" and inserting in place thereof the word: — department, — so as to read as follows: — *Section 32.* The department shall, as funds are appropriated therefor, cause that portion of the Connecticut river lying within the commonwealth to be surveyed and plotted, and a copy of such survey within the limits of Hampden, Hampshire and Franklin counties, respectively, to be prepared, attested by them and deposited in the registry of deeds for the county to which it relates, as a public record.

Connecticut river to be surveyed, etc.

G. L. 91, § 36, amended.

Section 77. Section thirty-six of said chapter ninety-one is hereby amended by striking out, in the first line, the word "division" and inserting in place thereof the word: — department, — so as to read as follows: — *Section 36.* The department may apply to congress for appropriations for the

Applications to congress for appropriations for harbors.

protection and improvement of any harbor in the commonwealth.

Section 78. Section thirty-seven of said chapter ninety-one is hereby amended by striking out, in the fifth line, the word "division" and inserting in place thereof the word: — department, — so as to read as follows: — *Section 37.* If the commonwealth has the right under stipulations in a deed given in its name to enter upon premises and, at the expense of the party at fault, to remove or alter a building, any of its grantees under similar deeds, their heirs, legal representatives or assigns may institute proceedings in equity to compel the department to enforce such stipulations. G. L. 91, § 37, amended. Enforcement of stipulations in deeds from the commonwealth.

Section 79. Section thirty-eight of said chapter ninety-one is hereby amended by striking out, in the first and seventh lines, the word "division" and inserting in place thereof, in each instance, the word: — department, — so as to read as follows: — *Section 38.* The department shall take charge of any wrecked vessel or other shipwrecked property, on any of the shores or waters of the commonwealth, except the Charles river basin, and not in the custody of the owner or his agent or of any other person lawfully authorized to take possession of it, if the value thereof is one hundred dollars or more, and may take charge of any such vessel or property if it is of less than said value. The department may make rules and regulations necessary for taking charge of such vessel, or property, for restoring it to its owners upon payment of the expense incurred by the commonwealth in the taking and care thereof, or for otherwise disposing of such property. G. L. 91, § 38, amended. Removal of wrecks, etc., on shores, etc.

Section 80. Section thirty-nine of said chapter ninety-one is hereby amended by striking out, in the fourth and sixth lines, the word "division" and inserting in place thereof, in each instance, the word: — department, — so as to read as follows: — *Section 39.* If a wrecked, sunken or abandoned vessel, or any unlawful or unauthorized structure or thing, is deposited or suffered to remain in the tide waters of the commonwealth, except the Charles river basin, and if the department deems it is, or is liable to cause or become, an obstruction to the safe and convenient navigation or other lawful use of such waters, the department shall remove it or cause it to be removed. G. L. 91, § 39, amended. Removal of wrecks, etc., in tide waters.

Section 81. Section forty of said chapter ninety-one is hereby amended by striking out, in the first and second, and in the sixth and ninth lines, the word "division" and inserting in place thereof, in each instance, the word: — department, — so as to read as follows: — *Section 40.* If any person in the United States is known to the department as the owner of such vessel or of any interest therein, or as having or exercising any control over it as master, agent, insurer or otherwise, or as having alone or with others built, deposited or caused any other unlawful obstruction, or as owning, maintaining or using the same in whole or in part, the department shall give him written notice to remove such G. L. 91, § 40, amended. Notice to owner of vessel.

vessel or other obstruction within a time therein specified. Such notice shall be deemed a sufficient notice to all such owners and other persons if served on one or more of them by the department, or by its order, by delivering the same in hand, by leaving it at the usual place of business or abode or duly mailing it to the post office address of the owner or other person upon whom it is to be served.

G. L. 91, § 41, amended.

Section 82. Section forty-one of said chapter ninety-one is hereby amended by striking out, in the third, fourth and ninth lines, the word "division" and inserting in place thereof, in each instance, the word: — department, — so as to read as follows: — *Section 41.* If such vessel or other obstruction is not removed within the time specified in such notice, and in a manner and to a place satisfactory to the department, or if no such owner or other person upon whom notice can be served is known to the department, it may remove such vessel or other obstruction, or complete the removal thereof, or cause the removal to be made in such manner and to such place as it deems best; and the necessary cost and expenses of such removal, if not paid by some owner or other person liable therefor, shall, when certified by the department and approved by the governor and council, be paid by the commonwealth.

Removal after notice.

G. L. 91, § 42, amended.

Section 83. Section forty-two of said chapter ninety-one is hereby amended by striking out, in the eleventh line, the word "division" and inserting in place thereof the word: — department, — so that the first sentence will read as follows: — Whoever owns a vessel or an interest in a vessel wilfully or maliciously wrecked, sunk or abandoned as aforesaid and removed as provided in the preceding section, either when such vessel became an obstruction or at any time before such removal is completed, and whoever has or exercises any control over such vessel or any part thereof, and the persons originally building, depositing or causing any other obstruction so removed, or owning, maintaining or using the same in whole or in part at the time of such removal or at any time prior thereto, shall be liable for the cost and expenses of such removal, or to repay the same when paid by the commonwealth; and such costs and expenses may be recovered in an action of contract brought by the department in the name of the commonwealth against such owners or other persons, or any of them.

Liability for expense of removals.

G. L. 91, § 43, amended.

Section 84. Section forty-three of said chapter ninety-one is hereby amended by striking out, in the fourth line, the word "division" and inserting in place thereof the word: — department, — so as to read as follows: — *Section 43.* If the cost and expenses of removing a vessel or other obstruction as aforesaid are not paid or repaid by some owner or other person liable therefor within ten days after such removal has been completed, the department may sell such vessel or other obstruction, or the materials and appurtenances thereof, at public or private sale, and the net proceeds of such sale shall be paid to the commonwealth and

Vessel may be sold, when.

deducted from the amount to be repaid or recovered as provided for in the preceding section.

Section 85. Section forty-five of said chapter ninety-one is hereby amended by striking out, in the first and fourth lines, the word "division" and inserting in place thereof, in each instance, the word: — department, — so as to read as follows: — *Section 45.* The department shall make application to the government of the United States for reimbursement of any amounts expended under any provision of the seven preceding sections, which, in the opinion of the department, might properly be paid by the United States. G. L. 91, § 45, amended. Application to United States for reimbursement.

Section 86. Section forty-six of said chapter ninety-one is hereby amended by striking out, in the third line, the word "division" and inserting in place thereof the word: — department, — so as to read as follows: — *Section 46.* The owners of any vessel, scow, lighter or similar floating structure lying within the limits of any harbor of the commonwealth shall not, without first obtaining a license therefor from the department, cause or permit the same to be broken up or altered to such an extent that it will not keep afloat with ordinary care, nor shall they ground any such craft within any such harbor or permit other persons so to do, or to remove any part thereof. G. L. 91, § 46, amended. Breaking up and disposal of certain floating structures, etc.

Section 87. Section forty-seven of said chapter ninety-one is hereby amended by striking out, wherever appearing in said section, the word "division" and inserting in place thereof, in each instance, the word: — department, — so as to read as follows: — *Section 47.* Upon the application of the owner of any vessel, scow, lighter or similar floating structure, the department may issue a license authorizing him to break up such vessel or other floating structure upon the following conditions: first, that the written consent of the owner of the premises where the work is to be done shall first be obtained and filed with the department; second, that all the material composing the vessel or other structure shall be removed wholly from tide water, to the satisfaction of the department; third, that the work shall be completed within a certain fixed time, which may be extended by the department; fourth, if the work is not completed at the time fixed in the license or as so extended, the department may cause the work to be completed at the expense of the licensee; and fifth, such other conditions as the department deems proper in any case. Before receiving the license, the licensee shall file a bond with the department in a sum fixed by it, with satisfactory sureties, in which the commonwealth is obligee, conditioned to perform the provisions of the license and to pay to the commonwealth such sums as it may expend in connection with the work licensed. G. L. 91, § 47, amended. Department may issue license, etc. Bond.

Section 88. Section forty-eight of said chapter ninety-one is hereby amended by striking out, in the second line, the word "division" and inserting in place thereof the word: — department, — so as to read as follows: — *Section 48.* Whenever a licensee under either of the two preceding sec- G. L. 91, § 48, amended. If licensee fails to comply with terms of

license, the department to complete the work, etc.

tions fails to comply with the terms of his license, the department may proceed to complete the work and remove from tide water all materials composing the vessel or other structure, and the cost thereof shall, in the first instance, be paid from the appropriation made therefor. If not repaid to the commonwealth by the licensee, upon demand, it may be recovered by the state treasurer in contract, brought by him in behalf of the commonwealth in the superior court against the licensee or the sureties on his bond.

G. L. 91, § 50, amended.

SECTION 89. Section fifty of said chapter ninety-one is hereby amended by striking out, in the fourth, sixth and seventh lines, the word "division" and inserting in place thereof, in each instance, the word: — department, — so as to read as follows: — *Section 50.*

Foreign corporations engaged in wrecking or salvaging business to be licensed, etc.

No foreign corporation shall engage in the business of wrecking or salvaging in the navigable waters of the commonwealth without first obtaining a license therefor from and filing a bond with the department. The license, effective for one year from the date of its issue, shall be granted upon payment of a fee, not exceeding twenty-five dollars, to be fixed by the department. The bond shall run to the state treasurer in a sum and with security satisfactory to the department, and shall be conditioned upon payment by the licensee of such amounts as shall lawfully be due to any person for damage to person or property caused by any act of the corporation, its agents or

Penalty.

servants, in the commonwealth. Whoever violates this section shall be punished by a fine of not less than fifty nor more than three hundred dollars.

G. L. 91, § 52, etc., amended.

SECTION 90. Section fifty-two of said chapter ninety-one, as amended by section two of chapter one hundred and ninety-six of the acts of nineteen hundred and twenty-five, is hereby further amended by striking out, in the first and twelfth and in the twenty-second and twenty-third lines, the word "division" and inserting in place thereof, in each instance, the word: — department, — so as to read as follows: — *Section 52.*

Transportation and dumping of dredged material in tide waters, etc., supervision, etc.

The department shall supervise the transportation and dumping of all material dredged in the tide waters of the commonwealth, or of any other material which may be placed in scows or boats to be transported and dumped in tide water, and may employ necessary inspectors therefor, who shall accompany the material while in transit, either upon the scows containing the material or upon the boat towing them, upon which they shall be provided with proper and suitable quarters and board by the owner of the boat.

Cost of supervision, etc., to be paid in first instance by commonwealth.

The cost of such supervision and also of the supervision under licenses and permits authorizing such transportation or dumping granted by the department, shall in the first instance be paid from such appropriation as may be available, if the material is taken outside of Boston harbor, and from the

Repayment to commonwealth, etc.

Port of Boston Fund if taken in said harbor, and shall be repaid to the commonwealth monthly by the owners of the dredges or other machines doing the excavating when the material is dredged in tide water and credited respectively to

the general fund or ordinary revenue or to said Port of Boston Fund, and, in the case of other material, by the owners of the scows in which it is transported, the monthly amount due from each owner to be determined and certified to the state treasurer by the department.

G. L. 91, § 53, amended.

Section 91. Section fifty-three of said chapter ninety-one is hereby amended by striking out, in the fourth line, the word "division" and inserting in place thereof the word: — department, — so as to read as follows: — *Section 53.* Every license or permit issued to any person to dredge in the tide waters of the commonwealth shall contain a provision that the transportation and dumping of the dredged material shall be done under the supervision of the department as provided in the preceding section, and that the licensee shall be held liable to pay the cost of said supervision whenever the owner of the dredge or excavating machine fails to pay for the same within ten days after written notification from the state treasurer that the same is due.

Terms of license, etc.

G. L. 91, § 54, amended.

Section 92. Section fifty-four of said chapter ninety-one is hereby amended by striking out, in the third, fifth and ninth lines, the word "division" and inserting in place thereof, in each instance, the word: — department, — so as to read as follows: — *Section 54.* Every contractor or other person shall, at least three days before commencing any piece of dredging in tide water, give written notice to the department of the location and amount of the proposed work, and the time at which it is expected work will begin and, except with the written assent of the department, no dredged or other material which it is proposed to dump in tide water, shall be transported or dumped within the tide waters of the commonwealth, unless there is present on board the scows containing the material, or on the boat towing the same, an inspector employed for that purpose by the department; and no such material shall, in any event, be dumped within the limits of any channel which has been deepened by dredging, nor in any other part of the tide waters of the commonwealth, unless the same is duly authorized. The state treasurer may recover in contract from such contractor or person the cost of supervision determined as provided in the two preceding sections.

Contracts, etc.

G. L. 91, § 55, amended.

Section 93. Section fifty-five of said chapter ninety-one is hereby amended by striking out, in the third line, the word "division" and inserting in place thereof the word: — department, — so as to read as follows: — *Section 55.* Whoever violates any provision of the three preceding sections or of any license or permit granted under said sections shall, upon complaint by the department or its agent to the superior court, be subject to a fine of not more than five hundred dollars, to be paid to the commonwealth, upon the judgment or order of the court.

Penalty.

G. L. 92, § 72, amended.

Section 94. Section seventy-two of chapter ninety-two of the General Laws is hereby amended by striking out, in the third and fourth lines, the words "division of waterways and

public lands of the", — and by striking out, in the eleventh line, the word "division" and inserting in place thereof the word: — department, — so as to read as follows: — *Section 72.* The commission shall have the same authority relative to wrecked vessels or other shipwrecked property on the shores or waters of the Charles river basin as is given the department of public works by section thirty-eight of chapter ninety-one relative to such vessels or property on other shores or waters of the commonwealth; and the commission shall have the same authority relative to the removal from said basin of wrecked, sunken or abandoned vessels, or of any unlawful or unauthorized structure or thing deposited or suffered to remain in the waters of said basin and obstructing safe and convenient navigation therein, as is given said department by sections thirty-nine to forty-five, inclusive, of chapter ninety-one, relative to such removal from the tide waters of the commonwealth, and said sections, so far as applicable, shall apply to such removals by the commission.

Powers as to shipwrecked vessels and property and removal of wrecks from Charles river basin.

G. L. 92, § 73, amended.

SECTION 95. Section seventy-three of said chapter ninety-two is hereby amended by striking out, in the third and fourth lines, the words "division of waterways and public lands of the", — so as to read as follows: — *Section 73.* The commission shall have the same authority relative to the breaking up and disposing of old vessels and other floating structures in said Charles river basin that is given to the department of public works by sections forty-six to forty-nine, inclusive, of chapter ninety-one in relation to the harbors of the commonwealth.

Disposal of old vessels.

G. L. 93, § 29, etc., amended.

SECTION 96. Section twenty-nine of chapter ninety-three of the General Laws, as amended by chapter three hundred and twenty-seven of the acts of nineteen hundred and twenty-four, is hereby further amended by striking out, in the first and second lines, the words "division of highways of the", — by striking out, in the third and thirteenth lines, the word "division" and inserting in place thereof, in each instance, the word: — department, — so as to read as follows: — *Section 29.* The department of public works, hereinafter called the department, shall make and may amend or repeal rules and regulations for the proper control and restriction of billboards, signs and other advertising devices, except as provided in section thirty-two, on public ways or on private property within public view of any highway, public park or reservation. Said rules and regulations may require that said billboards, signs or other devices be licensed in accordance therewith and with this section, may prescribe license fees, to be fixed with regard to the cost of administering this section, and need not be uniform throughout the commonwealth. Before establishing or amending rules or regulations under this section, the department shall hold duly advertised public hearings in Boston and elsewhere within the commonwealth as it deems necessary or expedient. Cities and towns may further regulate and restrict said billboards or other devices within their respective limits by ordinance or

Billboards, etc., regulation by department of public works.

May require licenses, etc.

Public hearings.

Further regulation by cities and towns, etc.

by-law not inconsistent with sections twenty-nine to thirty-three, inclusive, or with said rules and regulations.

Section 97. Section thirty A of said chapter ninety-three, inserted by chapter four hundred and ninety of the acts of nineteen hundred and twenty-four, is hereby amended by striking out, in the third, fifth and sixth lines, the word "division" and inserting in place thereof, in each instance, the word: — department, — so as to read as follows: — *Section 30A*. Any billboard, sign or other device erected after August twentieth, nineteen hundred and twenty, without the authorization or permit of the department in cases where such authorization or permit is required or maintained after said date in violation of any rule or regulation of the department shall be deemed a nuisance. Said department shall have the same power to abate and remove any such nuisance as is given to the board of health of a town under sections one hundred and twenty-three to one hundred and twenty-five, inclusive, of chapter one hundred and eleven, and the provisions of said sections shall, so far as applicable, apply in the case of a nuisance as herein defined. The remedy herein provided shall be in addition to any other remedy provided by law.

G. L. 93, § 30A, amended.

Abatement and removal of certain billboards, signs and other devices.

Section 98. Section seventy-five of chapter one hundred and twenty-seven of the General Laws is hereby amended by striking out, in the first line, the words "division of highways of the", — so as to read as follows: — *Section 75*. The department of public works shall, at the request of the commissioner, give him such information and instructions as will enable him to direct said employment in a manner which will furnish suitable and proper material for road building.

G. L. 127, § 75, amended.

Department of public works to give instruction.

Section 99. Section seventy-six of said chapter one hundred and twenty-seven is hereby amended by striking out, in the third line, the words "said division of highways" and inserting in place thereof the words: — department of public works, — by striking out, in the fourth line, the words "they determine" and inserting in place thereof the words: — it determines, — by striking out, in the sixth and eighth lines, the word "division" and inserting in place thereof, in each instance, the word: — department, — so as to read as follows: — *Section 76*. Material so prepared may be sold to the county commissioners or to town officers having the care of public roads. All material not so sold shall be purchased by the department of public works, at such price as it determines is fair and reasonable, for use on state highways; but the commissioner may cause any of said prisoners to be employed upon material furnished by said department, which shall then pay for the labor of preparation such price as may be agreed upon by the commissioner and the department.

G. L. 127, § 76, amended.

Sale of road material.

Section 100. Section eighty-one of said chapter one hundred and twenty-seven is hereby amended by striking out, in the fifth line, the words "division of highways of the", — so as to read as follows: — *Section 81*. The superintendent of the prison camp and hospital may, with the approval of

G. L. 127, § 81, amended.

Preparation of road material.

the commissioner, employ the prisoners confined in the camp section of the said prison camp and hospital in the preparation of road material, and may use therefor such machinery as the commissioner may consider necessary. The department of public works and the department of agriculture shall, at the request of the commissioner, give such information as may enable him to prosecute to the best advantage the work of reclaiming and improving waste land and of preparing material for road building.

G. L. 127, § 84, amended.

SECTION 101. Section eighty-four of said chapter one hundred and twenty-seven is hereby amended by striking out, in the fifth line, the words "the division of highways of", — so that the first sentence will read as follows: — The county commissioners of any county may purchase or lease land, with funds specifically appropriated therefor by the general court, for the purpose of improving and cultivating the land by the labor of prisoners from a jail or house of correction; and the said commissioners may also make arrangements with the department of public works or with the officials of a town to employ said prisoners on any highway or unimproved land, or with the state forester for the reforestation, maintenance or development of state forests, or with a private owner to improve waste or unused land, or land used for agricultural or domestic purposes, by means of such prison labor.

Prison labor on waste land.

G. L. 130, § 145, etc., amended.

SECTION 102. Section one hundred and forty-five of chapter one hundred and thirty of the General Laws, as amended by chapter twenty-four of the acts of nineteen hundred and twenty-one, is hereby further amended by striking out, in the tenth and eleventh lines, the words "division of waterways and public lands of the", — so as to read as follows: — *Section 145.* The aldermen of a city and the selectmen of a town lying upon tide water, may, in writing, authorize any person to construct weirs, pound nets or fish traps in tide water in locations not only where no harbor lines exist but also in locations beyond established harbor lines, within the limits of such city or town, for a term not exceeding five years, upon such terms and subject to such regulations, as the aldermen and the selectmen may, in their discretion impose, but no authority or license so given shall be valid unless approved in writing by the department of public works, upon such terms and subject to such conditions as it may, in its discretion, impose.

City and town officials may authorize construction of weirs, etc., in tide water.

G. L. 161, § 50, amended.

SECTION 103. Section fifty of chapter one hundred and sixty-one of the General Laws is hereby amended by striking out, in the tenth line, the words "the division of highways of", — so as to read as follows: — *Section 50.* A company may, with the consent of the board of aldermen or the selectmen, convey in cars over its tracks snow, ice, stones, gravel, dirt, or street sweepings, taken from any street or way over or through which its tracks are located, in order to keep said street or way in proper condition for travel, or may convey to any point on its line, or deliver to any connecting line or

Transportation of snow, ice, gravel, etc.

any other such company, necessary material for use in constructing, grading, repairing or improving any street or way in any city or town, or any state highway, whether on the line of any such company or not, and may make contracts with cities, towns, the department of public works, and with other such companies for the transportation of such material.

G. L. 161, § 81, amended.

Location upon state highways.

Section 104. Said chapter one hundred and sixty-one is hereby further amended by striking out section eighty-one and inserting in place thereof the following: — *Section 81.* If the board of aldermen of a city or the selectmen of a town and a company having a location in a way which said board of aldermen or said selectmen or the county commissioners of the county where said city or town lies have in writing requested the commonwealth to take charge of, make application to the department of public works, and with the application submit satisfactory plans, profiles and cross sections of said way, said department shall indicate on such plans, profiles and cross sections a location and grade for the tracks of said company. If said department considers said way suitable for a state highway, and said department and the company by vote of its directors agree as to the proportionate part of the cost of construction which shall be paid by the commonwealth and by the company, said department may pay, out of the appropriations for the construction and repair of state highways, said proportionate part of the damages sustained by a person whose property may be injured by the construction of such state highway, and of the cost of grading it to the lines established by said department. A way graded under this section shall remain a town way or a highway, subject to all laws relative thereto, until said way is taken charge of as a state highway by the commonwealth.

G. L. 161, § 82, etc., amended.

Authority of department of public works as to locations and maintenance of street railways upon certain state highways.

Order for alteration of locations without written acceptance.

Proceedings upon non-compliance by company with order.

Section 105. Said chapter one hundred and sixty-one, as amended in section eighty-two by chapter two hundred and thirty-six of the acts of nineteen hundred and twenty-five, is hereby further amended by striking out said section eighty-two and inserting in place thereof the following: — *Section 82.* If a public way in which a street railway location has been granted shall be thereafter laid out, taken charge of or constructed by or under the authority of said department of public works, it shall thereafter, relative to the location and maintenance of a street railway upon such state highway, have the authority conferred by sections seven, seventy, seventy-one, seventy-seven and eighty-nine upon boards of aldermen and selectmen, and shall exercise such authority in the same manner, and subject to the same rights and limitations, except that subject to the approval of the department of public utilities an order of said department of public works for the alteration of a location may be made without the written acceptance of alterations required by said section seventy-one. If the company fails to comply with such order so approved within the time specified therein, said department of public works may carry out the work at

the expense of the company, and such expense shall be recovered in contract.

G. L. 161, § 85, etc., amended.

Section 106. Said chapter one hundred and sixty-one, as amended in section eighty-five by section three of chapter four hundred and eighty-two of the acts of nineteen hundred and twenty-three, is hereby further amended by striking out said section eighty-five and inserting in place thereof the following: — *Section 85.* The department of public works, in respect to state highways, and the superintendent of streets of cities or officers exercising like authority therein and the selectmen in towns in respect to all other public ways, shall establish regulations for the clearance of snow from its tracks by any street railway company operating therein, and for the removal of such snow by said company from the public ways in which such tracks are located; provided, that no such company shall be compelled to remove from the public ways in which its tracks are located an amount of snow greater than it has cleared from between its rails and between its tracks and from a space eighteen inches wide on either side of its tracks.

Regulations for clearance of snow from tracks, etc., by street railway companies.

Proviso.

Annually on or before September first the said department of public works and the local authorities above named shall transmit to the president or other officer of each company operating its cars in the public ways subject to regulations established by said department of public works or local authorities, and to the department of public utilities, a copy of such regulations. Within fourteen days after the receipt by any company of such regulations, such company may, by its president or a majority of its board of directors, petition the department of public utilities for such amendments thereof as said president or said board of directors deem reasonable. The department of public utilities shall, after notice and hearing, within sixty days of the receipt of said petition, file with the said department of public works or the said local authorities and with the president of such company its findings upon said petition, including such amendments of said regulations, if any, as the department of public utilities deems reasonable, and thereafter such regulations as amended shall be and remain in force until September first following and until other regulations are established as herein provided.

Copy of regulations to companies, etc.

Petition for amendments.

Hearing, findings, etc.

G. L. 161, § 131, amended.

Section 107. Section one hundred and thirty-one of said chapter one hundred and sixty-one is hereby amended by striking out, in the second line, the words "the division of highways of", — so as to read as follows: — *Section 131.* The board of aldermen of a city or the selectmen of a town, if a public way, and the department of public works, if a state highway, may authorize structures or alterations within, or partly within, the limits thereof, which are necessary for carrying a street railway over or under a railroad, if such way is not thereby made unsafe for other public travel.

Structures within limits of public ways or state highways.

G. L. 253, § 39, amended.

Section 108. Section thirty-nine of chapter two hundred and fifty-three of the General Laws is hereby amended by striking out, in the sixth and seventh lines, the words

"division of waterways and public lands of the", — so as to read as follows: — *Section 39.* An owner or lessee of land appropriated or which he desires to appropriate to the cultivation and growth of cranberries may erect and maintain a dam upon and across a stream to flow and irrigate said land, subject to this chapter so far as applicable; but he shall not erect and maintain a dam across a navigable stream or across the outlet of a great pond, without a license therefor from the department of public works. Dam to flow cranberry land.

Section 109. Section fifteen of chapter thirty-eight of the General Laws is hereby amended by striking out, in the sixth line, the words "overseers of the poor" and inserting in place thereof the words: — board of public welfare, — and by striking out, in the seventh line, the word "who" and inserting in place thereof the word: — which, — so as to read as follows: — *Section 15.* After an autopsy or a view or examination without an autopsy, the medical examiner shall deliver the body, upon application, to the husband or wife, to the next of kin, or to any friend of the deceased, who shall have priority in the order named. If the body is unidentified or unclaimed for forty-eight hours after the view thereof, the medical examiner shall deliver it to the board of public welfare of the town where found, which shall bury it in accordance with section seventeen of chapter one hundred and seventeen. G. L. 38, § 15, amended. Delivery of body for burial.

Section 110. Section fifty-one of chapter forty of the General Laws is hereby amended by striking out, in the third line, the words "overseers of the poor" and inserting in place thereof the words: — board of public welfare, — so as to read as follows: — *Section 51.* No town or officer thereof shall publish in any report for general distribution to the public or to its citizens the names of persons assisted in any way by the board of public welfare of the town, or the names of any persons residing in such town who received aid under chapter one hundred and fifteen. G. L. 40, § 51, amended. Names of certain poor persons not to be published.

Section 111. Section one of chapter forty-one of the General Laws, as amended by chapter sixty-six of the acts of nineteen hundred and twenty-three and by chapter one hundred and seventy-eight of the acts of nineteen hundred and twenty-five, is hereby further amended by striking out the paragraph contained in lines thirteen to fifteen, inclusive, as printed in said chapter sixty-six, and inserting in place thereof the following: — G. L. 41, § 1, etc., amended.

Three or five members of the board of public welfare for the term of one or three years unless the town votes to authorize its selectmen to act as such board. Election of town officers.

Section 112. Section twenty of said chapter forty-one is hereby amended by striking out, in the third and fourth lines, the words "overseers of the poor" and inserting in place thereof the words: — the board of public welfare, — so as to read as follows: — *Section 20.* Selectmen shall, upon the receipt and approval of the bond of a collector of taxes or treasurer, give written notice thereof to the assessors. G. L. 41, § 20, amended. Selectmen, duties and oaths.

The selectmen shall be assessors of taxes and the board of public welfare in towns which have not authorized the election of such officers; and before acting as assessors they shall take the oath required of assessors. A person elected a selectman who enters upon the performance of his duties before taking the oath of office shall forfeit not more than one hundred dollars.

G. L. 41, § 21, etc., amended.

SECTION 113. Section twenty-one of said chapter forty-one, as amended by chapter one hundred and thirty of the acts of nineteen hundred and twenty-one, is hereby further amended by striking out, in the seventh and eighth lines, the words "overseers of the poor" and inserting in place thereof the words: — board of public welfare, — so that the first paragraph will read as follows: — *Section 21.* Ten per cent of the registered voters in any town may file a petition with the selectmen thirty days or more before the annual town meeting asking that the selectmen act as a water and sewer board, water commissioners, water and municipal light commissioners, municipal light board, sewer commissioners, park commissioners, board of health, assessors or board of public welfare, or perform the duties of such boards or officers or any of them, or that cemetery commissioners, assessors, a superintendent of streets, a chief of the police and fire departments or a tree warden be thereafter appointed by the selectmen. The selectmen shall thereupon direct the town clerk to cause the question whether the petition shall be granted to be printed upon the official ballot used for the election of town officers at the next annual election in substantially the following form:

Referendum in towns relative to selectmen acting as or appointing other officers.

G. L. 69, § 19, etc., amended.

SECTION 114. Section nineteen of chapter sixty-nine of the General Laws, as amended by section two of chapter four hundred and fifty-three of the acts of nineteen hundred and twenty-four, is hereby further amended by striking out, in the eighth line, the words "the overseers of the poor" and inserting in place thereof the words: — boards of public welfare, — and by striking out, in the eleventh line, the word "overseers" and inserting in place thereof the word: — board, — so that the last sentence will read as follows: — The department of public welfare and boards of public welfare shall aid the director by reporting whenever outdoor or indoor aid is granted to families in which there is a blind member, and the director shall report in turn to the said department and the said board any activity on his part in relation to blind persons who or whose families are known to be receiving or to have received public outdoor or indoor aid.

Reports as to aid granted to blind persons.

G. L. 101, § 33, amended.

SECTION 115. Section thirty-three of chapter one hundred and one of the General Laws is hereby amended by striking out, in the first line, the words "overseers of the poor" and inserting in place thereof the words: — board of public welfare, — so as to read as follows: — *Section 33.* The board of public welfare in any city or the selectmen in any town may, under such conditions as they may deem proper, grant to any organization engaged exclusively in charitable work a

Temporary licenses to sell articles for charitable purposes.

special license authorizing it, upon a particular day and for a charitable purpose named in such license, to sell, through its accredited agents in the streets and other public places within such city or town, or in any designated part thereof, flags, badges, medals, buttons, flowers, souvenirs and similar small articles; provided, that no person under sixteen years of age shall be accredited as such agent, that each agent shall wear in plain sight while engaged in selling such articles a badge, provided by such organization and approved by the authority issuing the license, bearing upon it the name of such organization and the date on which the license is to be exercised, and that no such agent shall be authorized to make or attempt to make such sales in front of any private premises against the objection of the owner or occupant thereof. The exercise of the licenses hereby provided for shall be subject to the provisions of all statutes, ordinances, by-laws, rules and regulations not inconsistent herewith. Proviso.

Section 116. Section thirty-two of chapter one hundred and eleven of the General Laws is hereby amended by striking out, in the second line, the words "overseers of the poor" and inserting in place thereof the words: — board of public welfare, — so as to read as follows: — *Section 32.* A board of health shall retain charge, to the exclusion of the board of public welfare, of any case arising under this chapter in which it has acted. G. L. 111, § 32, amended. Retention of cases.

Section 117. Section one hundred and sixteen of said chapter one hundred and eleven, as most recently amended by chapter ninety-one of the acts of nineteen hundred and twenty-seven, is hereby further amended by striking out, in the thirteenth and in the twenty-second lines, the words "overseers of the poor" and inserting in place thereof, in each instance, the words: — board of public welfare, — so that the second, third and fourth sentences will read as follows: — Such settlement shall be determined by the board of public welfare, and by the department of public welfare in cases cared for by the commonwealth. If the person has no settlement, such expenses shall be paid by the commonwealth, upon the approval of bills therefor by the department of public welfare. In all cases of persons having settlements, a written notice shall be sent by the board of health of the town where the person is sick to the board of health of the town where such person has a settlement, who shall forthwith transmit a copy thereof to the board of public welfare of the place of settlement; but nothing shall be recovered for relief furnished more than three months prior to notice thereof given to the board of health of the place of settlement. G. L. 111, § 116, etc., amended. Payment of certain expenses incurred by cities and towns.

Section 118. Section fourteen of chapter one hundred and seventeen of the General Laws is hereby amended by striking out, in the first line, the words "The overseers" and inserting in place thereof the words: — Boards of public welfare, — so as to read as follows: — *Section 14.* Boards of public welfare in their respective towns shall provide for the G. L. 117, § 14, amended. Boards of public welfare to provide for

immediate relief of strangers.

Action.

immediate comfort and relief of all persons residing or found therein, having lawful settlements in other towns, in distress and standing in need of immediate relief, until removed to the towns of their lawful settlements. The expense thereof and of their removal, or burial in case of their decease, may be recovered in contract against the town liable therefor, if commenced within two years after the cause of action arises; but nothing shall be recovered for relief furnished more than three months prior to notice thereof given to the defendant.

G. L. 117, § 20, amended.

SECTION 119. Section twenty of said chapter one hundred and seventeen is hereby amended by striking out, in the first line, the word "overseers" and inserting in place thereof the words: — board of public welfare, — so as to read as follows: — *Section 20.*

Strangers to work in return for food and lodging.

The board of public welfare and the officer in charge of premises provided by a town for the purpose of supplying food or lodging on said premises may and in cases of tramps or vagrants shall require any person applying for and receiving food or lodging to perform, if physically able, a reasonable amount of labor in return therefor, and may detain him for not more than twenty-four hours after such application until the labor required of him as aforesaid has been performed. The places in which persons are lodged shall be kept in such order and condition as may be prescribed by the department of public health.

G. L. 117, § 25, amended.

SECTION 120. Said chapter one hundred and seventeen is hereby further amended by striking out section twenty-five and inserting in place thereof the following: — *Section 25.*

Removal of certain poor persons to place of settlement.

The board of public welfare of a town to which a person has actually become chargeable may give written notice thereof to and request his removal by one or more of the members of the board of public welfare of the town where his settlement is supposed to be, who may, by a written order directed to a person designated therein, cause such removal to be made.

G. L. 117, § 27, amended.

SECTION 121. Said chapter one hundred and seventeen is hereby further amended by striking out section twenty-seven and inserting in place thereof the following: — *Section 27.*

Notices, etc., sent by mail.

Effect.

The notice and statement mentioned in the two preceding sections may be sent by mail, and, if directed to the board of public welfare of the town intended to be notified or answered, postage prepaid, shall be a sufficient notice or answer, and shall be considered as delivered to the board of public welfare to which directed at the time when it is received in the post office of the place to which it is directed and where its members reside.

G. L. 117, § 31, amended.

SECTION 122. Said chapter one hundred and seventeen is hereby further amended by striking out section thirty-one and inserting in place thereof the following: — *Section 31.*

Boards of public welfare may prosecute.

In actions and prosecutions founded on the preceding sections, the board of public welfare of any town or any person appointed by a writing under the hands of its members shall appear and prosecute or defend the same in behalf of such town.

Section 123. Section thirty-four of said chapter one hundred and seventeen is hereby amended by striking out, in the second line, the word "overseers" and inserting in place thereof the words: — board of public welfare, — so as to read as follows: — *Section 34.* In the year nineteen hundred and twenty-five and in every tenth year thereafter the return of the board of public welfare shall contain true and correct answers to such additional inquiries as the department may deem it advisable to make. G. L. 117, § 34, amended. Decennial returns of boards of public welfare.

Section 124. Section forty of said chapter one hundred and seventeen is hereby amended by striking out, in the first line, the word "Overseers" and inserting in place thereof the words: — Boards of public welfare, — so as to read as follows: — *Section 40.* Boards of public welfare shall not remove or allow the removal of a minor under their control beyond the limits of the commonwealth without the approval of the judge of probate, granted upon application, and after notice to all parties interested and a hearing, unless such minor has a settlement in another state. They shall not withhold information relative to the maintenance of such minor from any person entitled to receive it. Violations of this section shall be punished by a fine of not more than five hundred dollars. G. L. 117, § 40, amended. Judge of probate to authorize removal of certain minors from state.

Section 125. Section two of chapter one hundred and eighteen of the General Laws is hereby amended by striking out, in the first line, the words "overseers of the poor" and inserting in place thereof the words: — board of public welfare, — so as to read as follows: — *Section 2.* In every town the board of public welfare shall aid all such mothers, if they are fit to bring up their children. The aid furnished shall be sufficient to enable them to bring up their children properly in their own homes. G. L. 118, § 2, amended. Cities and towns to furnish aid to mothers with dependent children.

Section 126. Said chapter one hundred and eighteen is hereby further amended by striking out section three and inserting in place thereof the following: — *Section 3.* Before so aiding any such mother, except as hereinafter provided, the board of public welfare shall determine that the mother is fit to bring up her children and that the other members of the household and the surroundings of the home are such as to make for good character, and that aid from the board is necessary to enable her to bring up her children properly. For this purpose the board shall make an immediate and careful inquiry including the resources of the family and the ability of its other members, if any, to work or otherwise contribute to its support, the existence of relatives able to assist the family, and of individuals, societies or agencies who may be interested therein; shall take all lawful means to compel all persons bound to support the mother and children to support them, and to enforce any other legal rights for their benefit; shall press all members of the family who are able to work, other than the mother and her dependent children, to secure work; shall try to secure work for them; and shall secure all necessary aid for the mother and children G. L. 118, § 3, amended. Duties of boards of public welfare.

which can be secured from relatives, organizations or individuals. This section shall not prevent the board from giving prompt and suitable temporary aid, pending compliance with the requirements of this section, when in its opinion such aid is necessary and cannot be obtained from other sources. A detailed statement of expenses incurred under this section shall be rendered to the department of public welfare, together with such certificates or other guarantees as it may require.

G. L. 118, § 4, amended.

Same subject.

SECTION 127. Said chapter one hundred and eighteen is hereby further amended by striking out section four and inserting in place thereof the following: — *Section 4.* The board of public welfare, either by one of its own number or by its duly appointed agent, shall visit at least once in every three months, at their homes or other places where they may be living, each mother and her dependent children who are being aided financially or otherwise by said board, and after each visit shall make and keep on file as a part of its official records a detailed statement of the condition of the home and family and all other data which may assist in determining the wisdom of the measures taken and the advisability of their continuance; and the board shall at least once in each year reconsider the case of each such mother with whom they are dealing, and enter its determination with the reason therefor on its official records.

G. L. 118, § 5, amended.

Department of public welfare to have supervision, etc.

SECTION 128. Said chapter one hundred and eighteen is hereby further amended by striking out section five and inserting in place thereof the following: — *Section 5.* The department of public welfare shall supervise the work done and measures taken by the boards of public welfare of the several towns in respect to families subject to this chapter; and for this purpose may make such rules relative to notice as it deems necessary and may visit and inspect any or all families so aided, and shall have access to any records and other data kept by such boards or their representatives relating to such aid; and the department shall include in its annual report a statement of the work done by its own agents and by boards of public welfare in respect to such families any of whose members are without legal settlement in the commonwealth; and a separate statement of the work done by boards of public welfare in respect to such families in which all the members have a legal settlement in the commonwealth.

G. L. 119, § 21, amended.

Information may be required as to parentage, etc., of certain infants.

SECTION 129. Section twenty-one of chapter one hundred and nineteen of the General Laws is hereby amended by striking out, in the sixth line, the words "overseers of the poor" and inserting in place thereof the words: — board of public welfare, — and by striking out, in the eighth line, the word "overseers" and inserting in place thereof the word: — board, — so as to read as follows: — *Section 21.* A person receiving an infant for board or for the purpose of procuring adoption, as described in the preceding section, and its parents shall, if required by the department, give true

answers, so far as their knowledge extends, as to the parentage, residence and place of settlement of said infant; and the parents of such child shall, if required by the department or the board of public welfare of the town where the person receiving said infant resides, give security for its maintenance satisfactory to the department or board. Whoever violates any provision of this or the preceding section shall be punished by a fine of not more than one hundred dollars or by imprisonment for not more than one year. Penalty

Section 130. Section twenty-two of chapter one hundred and twenty-one of the General Laws is hereby amended by striking out, in the tenth line, the word "almshouses" and inserting in place thereof the word: — infirmaries, — and by striking out, in the twelfth and thirteenth lines, the words "overseers of the poor" and inserting in place thereof the words: — boards of public welfare, — so that the last sentence will read as follows: — The report shall include a statement of the condition and management of infirmaries maintained in towns with its suggestions and recommendations relative thereto, together with the most important information obtained from the returns made by boards of public welfare under sections thirty-three and thirty-four of chapter one hundred and seventeen, and a detailed report of its inspection and supervision of wayfarers' lodges and public lodging houses. G. L. 121, § 22, amended. Department of public welfare. Annual report.

Section 131. Section thirty-eight of said chapter one hundred and twenty-one is hereby amended by striking out, in the seventh line, the words "overseers of the poor" and inserting in place thereof the words: — boards of public welfare, — and by striking out, in the same line, the word "almshouse" and inserting in place thereof the word: — infirmary, — so as to read as follows: — *Section 38.* The department shall inspect and approve all plans and specifications for new buildings to be used by state institutions under its supervision, and for the extension or alteration, involving an expenditure of more than two thousand dollars, of existing buildings which are to be or are already so used, before such new buildings are erected or such extensions or alterations made. It may advise with and assist boards of public welfare in the preparation of plans for infirmary buildings, the expenses to be paid from the appropriation for expenses of the department. G. L. 121, § 38, amended. Approval of certain plans and advice to boards of public welfare.

Section 132. Section seventeen of chapter one hundred and twenty-two of the General Laws is hereby amended by striking out, in the tenth line, the words "overseers of the poor" and inserting in place thereof the words: — members of the board of public welfare, — so as to read as follows: — *Section 17.* No town officer shall send to the state infirmary any person infected with smallpox or other disease dangerous to the public health, or, except as provided in the preceding section, any other sick person whose health would be endangered by removal; but all such persons liable to be maintained by the commonwealth shall be supported during their G. L. 122, § 17, amended. Smallpox patients.

sickness by the town where they are taken sick, and written notice of such sickness shall be given to the department, which may examine the case and, if found expedient, order the removal of the patient; but such notice in the case of sick persons whose health would be endangered by such removal shall be signed by the members of the board of public welfare or by a person appointed by them by special vote, who shall certify, after personal examination, that in their or his opinion such removal at the time of his application for aid would endanger his health. A town officer who knowingly violates this section shall be punished by a fine of not less than fifty nor more than one hundred dollars.

Penalty.

G. L. 138, § 32, etc., amended.

Section 133. Section thirty-two of chapter one hundred and thirty-eight of the General Laws, as amended by section five of chapter two hundred and thirty-three of the acts of nineteen hundred and twenty-three, is hereby further amended by striking out, in the sixth line, the words "overseers of the poor" and inserting in place thereof the words: — boards of public welfare, — so as to read as follows: — *Section 32.* All prescriptions referred to in sections twenty-five and twenty-eight and the book provided for in section forty-one shall at all times be open to the inspection of the board of registration in pharmacy, the licensing board in cities having such boards and in all other cities and towns, to the inspection of the aldermen, selectmen, boards of public welfare, sheriffs, constables, police officers and justices of the peace.

Prescriptions, book, etc., open to inspection, etc.

G. L. 201, § 8, amended.

Section 134. Section eight of chapter two hundred and one of the General Laws is hereby amended by striking out, in the fifth line, the words "overseers of the poor" and inserting in place thereof the words: — board of public welfare, — and by striking out, in the tenth line, the words "overseers of the poor" and inserting in place thereof the words: — the board of public welfare, — so as to read as follows: — *Section 8.* A person who, by excessive drinking, gaming, idleness, or debauchery of any kind, so spends, wastes or lessens his estate as to expose himself or his family to want or suffering, or any town to charge or expense for his support or for the support of his family, may be adjudged a spendthrift. The board of public welfare of the town of which he is an inhabitant or resident, or upon which he is or may become chargeable, or a relative of the alleged spendthrift, may file a petition in the probate court, stating the facts and circumstances of the case and praying that a guardian be appointed. In towns where selectmen act as the board of public welfare they may file such petition. If after notice as provided in the following section, and after hearing, the court finds that he is a spendthrift, it shall appoint a guardian of his person and estate.

Appointment of guardian of spendthrift.

G. L. 201, § 14, amended.

Section 135. Section fourteen of said chapter two hundred and one is hereby amended by striking out, in the first and second lines, the words "overseers of the poor" and inserting in place thereof the words: — board of public welfare, — so as to read as follows: — *Section 14.* Upon petition of

Temporary guardian,

a mayor or the selectmen, the board of public welfare, the department of mental diseases, or other person in interest, the court may, if it finds that the welfare of a minor, insane person or spendthrift requires the immediate appointment of a temporary guardian of his person and estate, appoint a temporary guardian of such minor, insane person or spendthrift, with or without notice, and may in like manner remove or discharge him or terminate the trust. A temporary guardian may proceed and continue in the execution of his duties, notwithstanding an appeal from the decree appointing him, until it is otherwise ordered by the supreme judicial court, or until the appointment of a permanent guardian, or until the trust is otherwise legally terminated.

appointment, removal and discharge.

Section 136. Section twelve of chapter two hundred and two of the General Laws is hereby amended by striking out, in the fourth line, the words "overseers of the poor" and inserting in place thereof the words: — board of public welfare, — and by striking out, in the sixth line, the words "any of said overseers or", — and by inserting after the word "said", in the seventh line, the words: — board or, — so as to read as follows: — *Section 12.* No license to sell real estate shall be granted to the guardian of a spendthrift who resides in the commonwealth, or of an insane person, unless seven days' notice of the petition therefor has been given to the board of public welfare of the town where the spendthrift resides, or, in the case of an insane person, to the department of mental diseases. Such notice may be served upon any member of said board or department.

G. L. 202, § 12, amended.

License to guardian of spendthrift, etc., only after notice to board of public welfare, etc.

Section 137. Section twenty-one of chapter two hundred and seventy-three of the General Laws is hereby amended by striking out, in the sixth line, the words "overseers of the poor" and inserting in place thereof the words: — board of public welfare, — and by striking out, in the seventh line, the word "other", — so as to read as follows: — *Section 21.* Proceedings under the preceding section shall be begun, if in the superior court, in the county in which is situated the place where the defendant or the parent lives, and, if begun in a district court, in the court having such place within its judicial district. Complaints in district courts under the preceding section may be made by any such parent, by any child of such parent, by the board of public welfare of the town where such parent has a settlement, or by any public relief officer.

G. L. 273, § 21, amended.

Jurisdiction and venue.

Section 138. Section two of chapter seventy-two of the General Laws, as amended by section one of chapter one hundred and eighty-eight of the acts of nineteen hundred and twenty-six, is hereby further amended by striking out, in the twelfth line and in the nineteenth and twentieth lines, the words "Attendance officers" and inserting in place thereof, in each instance, the words: — Supervisors of attendance, — so that the third, fourth and fifth sentences will read as follows: — Supervisors of attendance, under the direction of the committee and superintendent of schools, shall

G. L. 72, § 2, etc., amended.

Registration of certain minors by school committees.

Duties of supervisors of attendance.

have charge of the records required by this section, shall be responsible for their completeness and accuracy, and shall receive the co-operation of principals, teachers and supervisory officers in the discharge of their duties hereunder. A card, as prescribed by the department, shall be kept for every child whose name is recorded hereunder. Supervisors of attendance shall compare the names of children enrolled in the public and private schools with the names of those recorded as required herein, and examine carefully into all cases where children of school age are not enrolled in, and attending school, as required by section one of chapter seventy-six.

G. L. 76, § 2, amended.

SECTION 139. Section two of chapter seventy-six of the General Laws is hereby amended by striking out, in the fourth and fifth lines, the words "an attendance officer" and inserting in place thereof the words: — a supervisor of attendance, — so that the first sentence of said section will

Duties of parents, etc., as to school attendance.

read as follows: — Every person in control of a child described in the preceding section shall cause him to attend school as therein required, and, if he fails so to do for seven day sessions or fourteen half day sessions within any period of six months, he shall, on complaint by a supervisor of attendance, be punished by a fine of not more than twenty dollars.

G. L. 76, § 3, etc., amended.

SECTION 140. Section three of said chapter seventy-six, as amended by section two of chapter one hundred and eighty-eight of the acts of nineteen hundred and twenty-six, is hereby further amended by striking out, in the twentieth and twenty-first lines, the words "an attendance officer" and inserting in place thereof the words: — a supervisor of attendance, — so that the last sentence will read as follows: —

Penalties for failure of certain minors to attend evening schools.

Wilful violation of this section by such a minor shall be punished by a fine of not less than five dollars; failure for six sessions within a period of one month by any person in control of such a minor to cause his attendance shall, on complaint by a supervisor of attendance, be punished by a fine of not more than twenty dollars.

G. L. 77, § 3, amended.

SECTION 141. Section three of chapter seventy-seven of the General Laws is hereby amended by striking out, in the fourth and fifth lines, the words "an attendance officer" and inserting in place thereof the words: — a supervisor of attendance, — so as to read as follows: — *Section 3.*

Habitual truants.

A child between seven and sixteen who wilfully and habitually absents himself from school contrary to section one of chapter seventy-six, shall be deemed an habitual truant, and, unless placed on probation as provided in section seven, may, on complaint of a supervisor of attendance, be committed to a county training school.

G. L. 77, § 4, amended.

SECTION 142. Section four of said chapter seventy-seven is hereby amended by striking out, in the fifth line, the words "an attendance officer" and inserting in place thereof the words: — a supervisor of attendance, — so as to read as

Habitual absentees.

follows: — *Section 4.* A child between seven and sixteen found wandering about streets or public places, having no

lawful occupation, habitually absent from school and growing up in idleness and ignorance, shall be deemed an habitual absentee, and, unless placed on probation as provided in section seven, may, on complaint of a supervisor of attendance or any other person, be committed to a county training school.

G. L. 77, § 5, amended.

Section 143. Section five of said chapter seventy-seven is hereby amended by striking out, in the fifth and sixth lines, the words "an attendance officer" and inserting in place thereof the words: — a supervisor of attendance, — so as to read as follows: — *Section 5.* A child under sixteen persistently violating reasonable regulations of the school he attends, or otherwise persistently misbehaving therein, so as to render himself a fit subject for exclusion therefrom, shall be deemed an habitual school offender, and, unless placed on probation as provided in section seven, may, on complaint of a supervisor of attendance, be committed to a county training school.

Habitual school offenders.

G. L. 77, § 7, amended.

Section 144. Section seven of said chapter seventy-seven is hereby amended by striking out, in the third line, the words "an attendance officer" and inserting in place thereof the words: — a supervisor of attendance, — and by inserting after the word "such" in the sixth line the words: — supervisor of, — so as to read as follows: — *Section 7.* A court or magistrate by whom a child has been convicted of an offence under this chapter may place him on probation under the oversight of a supervisor of attendance of the town where the child resides, or of a probation officer of said court, for such period and upon such conditions as the court or magistrate may deem best; and if, within such period, the child violates the conditions of his probation, such supervisor of attendance or probation officer may, without warrant or other process, take the child before the court, who may thereupon sentence him or may make any other lawful disposition of the case.

Probation.

G. L. 77, § 8, amended.

Section 145. Section eight of said chapter seventy-seven is hereby amended by striking out, in the seventeenth line, the word "attendance" and inserting in place thereof the words: — supervisors of attendance, — and by inserting after the word "such" in the nineteenth line the words: — supervisor or, — so that the second paragraph will read as follows: —

Revocation of parole.

If such child, in the opinion of the commissioners, violates the conditions of his parole at any time before the expiration of the term of his commitment, the parole may be revoked. If a superintendent or a school committee furnishes evidence satisfactory to the commissioners of the child's violation of said conditions, the commissioners shall revoke such parole, and may thereupon issue an order directed to the supervisors of attendance or police officers of any town to arrest such child wherever found and return him to said school. Any such supervisor or officer shall arrest the child and return him to said school, where he shall be held, subject to this chapter, for the residue of the term of the original sentence.

G. L. 77, § 11, amended.

SECTION 146. Section eleven of said chapter seventy-seven is hereby amended by striking out, in the fifth and tenth lines, the words "an attendance officer" and inserting in place thereof the words: — a supervisor of attendance, — so as to read as follows: — *Section 11.* District courts, except the municipal court of Boston, trial justices and the Boston juvenile court shall have jurisdiction of offences arising under section one of chapter seventy-six and under this chapter. A summons or warrant issued by such court or justice may be served, at the discretion of the court or justice, by a supervisor of attendance or by any officer qualified to serve criminal process. On complaint against a child for any such offence, his parents, guardian or custodian shall be notified as required by section fifty-five of chapter one hundred and nineteen. A child against whom complaint as an habitual absentee is brought by any other person than a supervisor of attendance shall not be committed until notice and an opportunity to be heard have been given to the division of juvenile training in the department of public welfare.

Jurisdiction.

G. L. 77, § 13, amended.

SECTION 147. Section thirteen of said chapter seventy-seven is hereby amended by striking out, in the first line, the words "Attendance officers" and inserting in place thereof the words: — Supervisors of attendance, — so that the first sentence of said section will read as follows: — Supervisors of attendance shall inquire into all cases arising under sections one, two, four to eleven, inclusive, and fifteen of chapter seventy-six, sections three, four, five and eight of this chapter and sections ninety, ninety-two, ninety-three and ninety-five of chapter one hundred and forty-nine, and may make complaints and serve legal processes issued under this chapter.

Duties of supervisors of attendance.

G. L. 140, § 197, amended.

SECTION 148. Section one hundred and ninety-seven of chapter one hundred and forty of the General Laws is hereby amended by striking out, in the fourth and fifth lines, the words "an attendance officer" and inserting in place thereof the words: — a supervisor of attendance, — so that the first sentence will read as follows: — Whoever, himself or by his servant or agent, admits a child under fourteen to any licensed show or place of amusement unless such child is accompanied by a person over twenty-one, shall, on complaint of a parent or guardian of the child or of any police officer or of a supervisor of attendance of the town in which the child is so admitted, be punished by a fine of not more than one hundred dollars; but he shall not be liable to said fine if a child apparently fourteen years old has obtained admission by any written misrepresentation or by any unauthorized entrance to said place of amusement, or has entered with and apparently in the company of a person over twenty-one but does not remain with such person, provided the person in charge of said place of amusement shall remove such child immediately therefrom upon knowledge that the child is under fourteen and not then accompanied by a person over twenty-one.

Admission of children to entertainments regulated.

G. L. 149, § 77, amended.

SECTION 149. Section seventy-seven of chapter one hundred and forty-nine of the General Laws is hereby amended

by striking out, in the third line, the words "school attendance officers" and inserting in place thereof the words: — supervisors of attendance, — and by striking out, in the sixth line, the words "attendance officers" and inserting in place thereof the words: — supervisors of attendance, — so as to read as follows: — *Section 77.* Sections sixty-nine to seventy-three, inclusive, relating to minors engaged in the occupations mentioned in section sixty-nine, shall be enforced by supervisors of attendance, who are hereby vested with full police powers for the purpose, and by police officers. The school committee of each city may appoint or designate one or more special supervisors of attendance to have supervision over minors engaged in such occupations and over the enforcement of said sections. Powers of supervisors of attendance.

Section 150. Section seventy-eight of said chapter one hundred and forty-nine is hereby amended by striking out, in the eleventh line, the words "school attendance officer" and inserting in place thereof the words: — supervisor of attendance, — so that the last sentence will read as follows: — The employment of any minor in violation of any provision of said sections, after the person employing such minor has been notified thereof in writing by any authorized inspector or supervisor of attendance, shall constitute a separate offence for every day during which the employment continues. G. L. 149, § 78, amended. Penalty for violation of statutes as to employing minors.

Section 151. Said chapter one hundred and forty-nine is hereby further amended by striking out section seventy-nine and inserting in place thereof the following: — *Section 79.* Any person who hinders or delays any authorized inspector or supervisor of attendance in the performance of his duties, or who refuses to admit to or locks out any such inspector or supervisor from any place which such inspector or supervisor is authorized to inspect, or who refuses to give to such inspector or supervisor such information as may be required for the proper enforcement of sections sixty to seventy-four, inclusive, shall be punished by a fine of not less than twenty-five nor more than two hundred dollars or by imprisonment for not more than two months, or both. G. L. 149, § 79, amended. Penalty for hindering inspectors, etc.

Section 152. Section eighty-two of said chapter one hundred and forty-nine is hereby amended by striking out, in the first line, the words "school attendance officer" and inserting in place thereof the words: — supervisor of attendance, — so as to read as follows: — *Section 82.* Any inspector, supervisor of attendance, superintendent of schools or other person authorized to issue the badges required by section seventy, or any other person charged with the enforcement of any of the provisions of sections sixty to eighty-three, inclusive, who knowingly violates or fails to comply with any provision of said sections, shall be punished by a fine of not less than ten nor more than two hundred dollars or by imprisonment for not more than two months, or both. G. L. 149, § 82, amended. Penalty on certain officials.

Section 153. Section eighty-three of said chapter one hundred and forty-nine is hereby amended by inserting after the word "the" the second time it occurs in the fourth line G. L. 149, § 83, amended.

the words: — supervisors or, — and by striking out, in the tenth line, the words "school attendance officer" and inserting in place thereof the words: — supervisor of attendance, — so as to read as follows: — *Section 83.* Any minor who engages in any of the trades or occupations mentioned in section sixty-nine in violation of any provision of sections sixty-nine, seventy or seventy-two to seventy-four, inclusive, shall for the first offence be warned by the supervisors or officers mentioned in section seventy-seven, and the parent, guardian or custodian shall be notified. In case of a second violation, such minor may be arrested and dealt with as a delinquent child, or, if over seventeen, shall be punished by a fine not exceeding fifteen dollars. Upon the recommendation of the principal or chief executive officer of the school which such minor attends, or upon the complaint of any supervisor of attendance, police officer or probation officer, the badge of any minor violating any provision of sections seventy to seventy-three, inclusive, or who becomes delinquent or fails to comply with all legal requirements concerning school attendance, may be revoked for three months by the officer issuing the same and the badge taken from such minor. If any minor refuses to surrender such badge, or works at any of the occupations mentioned in section sixty-nine after notice of the revocation of such badge, he shall be deemed to have violated section seventy.

Penalty on certain minors.

G. L. 149, § 86, etc., amended.

Section 154. Section eighty-six of said chapter one hundred and forty-nine, as amended by section two of chapter three hundred and fifty-one of the acts of nineteen hundred and twenty-one, is hereby further amended by striking out, in the eighth line, the words "attendance officers" and inserting in place thereof the words: — supervisors of attendance, — so that the first sentence will read as follows: — No person shall employ a child between fourteen and sixteen or permit him to work in, about or in connection with any factory, workshop, manufacturing, mechanical or mercantile establishment or in any employment as defined in section one, other than street trades as defined in sections sixty-nine to seventy-three, inclusive, unless the person employing him procures and keeps on file, accessible to the supervisors of attendance of the town, to agents of the department of education, and to the department of labor and industries or its authorized agents or inspectors, the employment certificate issued to such child, and keeps a complete list of the names and ages of all such children employed therein conspicuously posted near the principal entrance of the building where they are employed; provided, that pupils in co-operative courses in public schools may be employed by any co-operating factory, manufacturing, mechanical or mercantile establishment or workshop, or any employment as defined in section one, upon securing from the superintendent of schools a special certificate covering this type of employment.

Employment of children between fourteen and sixteen without employment certificate, etc., forbidden.

Proviso.

G. L. 149, § 90, amended.

Section 155. Section ninety of said chapter one hundred and forty-nine is hereby amended by striking out, in the

seventh line, the words "school attendance officer" and inserting in place thereof the words: — supervisor of attendance, — so as to read as follows: — *Section 90.* Whoever employs a child under sixteen, or whoever procures, or, having under his control a child under sixteen, permits him to be employed in violation of section eighty-six, shall be punished by a fine of not less than ten nor more than fifty dollars or by imprisonment for not more than one month; and whoever continues to employ a child under sixteen in violation of said section, after being notified thereof by a supervisor of attendance or by an inspector, shall for every day thereafter while such employment continues be punished by a fine of not less than fifty nor more than two hundred dollars or by imprisonment for not more than two months; and whoever forges, or procures to be forged, or assists in forging a certificate of birth or other evidence of the age of such child, and whoever presents or assists in presenting a forged certificate or evidence of birth to the superintendent of schools or to a person authorized by law to issue certificates, for the purpose of fraudulently obtaining the employment certificate required by section eighty-six, shall be punished by a fine of not less than ten nor more than five hundred dollars or by imprisonment for not more than one year, or both. Whoever, being authorized to sign an employment certificate, knowingly certifies to any materially false statement therein shall be punished by a fine of not less than ten nor more than two hundred dollars. Whoever, without authority, alters an employment certificate after the same is issued shall be punished by a fine of ten dollars.

Penalties for illegal employment of children under sixteen, altering employment certificate, etc.

Section 156. Section ninety-two of said chapter one hundred and forty-nine is hereby amended by striking out, in the first line, the words "Attendance officers" and inserting in place thereof the words: — Supervisors of attendance, — so that the first sentence will read as follows: — Supervisors of attendance may visit the factories, workshops, manufacturing, mechanical and mercantile establishments, theatres, and places of public exhibition in their several towns, and ascertain whether any children are employed therein contrary to this chapter, and shall report in writing any cases of such illegal employment to the superintendent of schools or the school committee and to the department or its authorized officers or agents.

G. L. 149, § 92, amended.

Duties of supervisors of attendance in regard to illegal employment of children.

Section 157. Section ninety-three of said chapter one hundred and forty-nine is hereby amended by striking out, in the first line, the words "An attendance officer" and inserting in place thereof the words: — A supervisor of attendance, — and by striking out, in the fifth and in the ninth lines, the words "attendance officer" and inserting in place thereof, in each instance, the words: — supervisor of attendance, — so as to read as follows: — *Section 93.* A supervisor of attendance shall apprehend and take to school, without a warrant, any minor employed in any factory, workshop, manufacturing, mechanical or mercantile estab-

G. L. 149, § 93, amended.

Further duties of supervisors of attendance.

lishment, or in any theatre or place of public exhibition contrary to this chapter; and such supervisor of attendance shall forthwith report to the district court or trial justice within whose judicial district the illegal employment occurs the evidence in his possession relating to the illegal employment of any minor so apprehended, and shall make complaint against whomever the court or trial justice may direct. No supervisor of attendance shall knowingly and wilfully violate any provision of this section.

G. L. 149, § 94, etc., amended.

SECTION 158. Section ninety-four of said chapter one hundred and forty-nine, as amended by section three of chapter three hundred and fifty-one of the acts of nineteen hundred and twenty-one, is hereby further amended by striking out, in the third line, the words "attendance officers" and inserting in place thereof the words: — supervisors of attendance, — so as to read as follows: — *Section 94.* Inspectors, agents of the department of education and supervisors of attendance may require that the employment or educational certificates and lists of minors employed in any establishment or occupation for which employment or educational certificates are required shall be produced for their inspection. A failure so to do upon request shall be prima facie evidence of the illegal employment of any minor whose certificate is not produced or whose name is not so listed.

Educational certificates, etc., to be shown on request of officials.

G. L. 67, § 22, amended.

SECTION 159. Section twenty-two of chapter sixty-seven of the General Laws is hereby amended by striking out, in the eighteenth line, the words "for record", — so that the last paragraph will read as follows: —

Incorporation of religious societies.

Filing of certificate.

The moderator and clerk shall forthwith make, sign, swear to and file in the office of the state secretary a certificate stating the name of the corporation, its purpose, the town and county where located, the date of the meeting for organization and any adjournments thereof and the names of the officers elected; otherwise the organization shall be void.

G. L. 67, § 43, amended.

SECTION 160. Section forty-three of said chapter sixty-seven is hereby amended by striking out, in the second line, the words "and recorded", — and by striking out, in the third line, the words "and in the manner", — so as to read as follows: — *Section 43.* An attested copy of the record of the proceedings at such organization shall be filed with the state secretary, within the time prescribed in section twenty-six; otherwise the organization shall be void.

Filing record of organization.

G. L. 109, § 2, amended.

SECTION 161. Section two of chapter one hundred and nine of the General Laws, as appearing in section one of chapter one hundred and twelve of the acts of nineteen hundred and twenty-three, is hereby amended by striking out, in the thirty-fourth line, the words "for record", — so that clause (1) (*b*) of said section will read as follows: — (*b*) File the certificate in the office of the state secretary.

Limited partnerships.

Filing of certificate.

G. L. 109, § 31, etc., amended.

SECTION 162. Section thirty-one of said chapter one hundred and nine, inserted by chapter two hundred and thirty-one of the acts of nineteen hundred and twenty-four, and amended by chapter one hundred and ninety-four of the acts

of nineteen hundred and twenty-five, is hereby further amended by striking out, in the first line, the words "for record", — so as to read as follows: — *Section 31.* The fee for the filing in the office of the state secretary of any original certificate or certificate of renewal or amendment, or certificate or notice of dissolution, or writing to cancel a certificate, provided for by this chapter shall be ten dollars.

Fee for filing certain papers with state secretary under Uniform Limited Partnership Act.

Section 163. Section eleven of chapter one hundred and fifty-six of the General Laws is hereby amended by striking out all after the word "secretary" in the ninth line, — so that the last sentence will read as follows: — Thereupon, the articles shall, upon payment of the fee provided by section fifty-three, be filed in the office of the state secretary.

G. L. 156, § 11, amended.

Filing of articles of organization of business corporations.

Section 164. Section sixteen of said chapter one hundred and fifty-six is hereby amended by striking out, in the eighteenth line, the word "who,", — and by striking out, in the nineteenth and twentieth lines, the words "shall cause it and the endorsement thereon to be recorded", — so that the third sentence will read as follows: — If he finds that it conforms to the requirements of law, he shall endorse his approval thereon, and it shall thereupon be filed in the office of the state secretary, upon payment of the fee provided in section fifty-five.

G. L. 156, § 16, amended.

Issue of authorized stock subsequent to original issue.

Filing in office of state secretary.

Section 165. Section seventeen of said chapter one hundred and fifty-six is hereby amended by striking out, in the sixth line, the words "and recorded", — so as to read as follows: — *Section 17.* An issue of stock subsequent to that certified by the articles of organization which is invalid solely for the reason that the certificate is not submitted to the commissioner within thirty days as required by the preceding section may be rendered lawful and valid as of the date of its issue if the certificate is afterward submitted to him, and is examined and approved by him and filed in the office of the state secretary, upon payment of such fee, not exceeding twenty-five dollars, as the commissioner may fix.

G. L. 156, § 17, amended.

Validation of invalid issue.

Section 166. Section thirty-three of said chapter one hundred and fifty-six, as most recently amended by section one of chapter three hundred and seventy-five of the acts of nineteen hundred and twenty-nine, is hereby further amended by striking out, in the last line, the word "recorded" and inserting in place thereof the word: — filed, — so that the last sentence will read as follows: — Each certificate of stock, which by the agreement of association or amended agreement of association or, in the case of a corporation created by special law, by its articles of organization or by amendment is limited as to its voting rights or is preferred as to its dividend or as to its share of assets upon dissolution, shall have plainly written, printed or stamped thereon either a sufficient statement of such limitation or preference or a notification that its preferences, voting powers, restrictions and qualifications are fixed in the agreement of association or articles of organization or amendments filed in the office of the state secretary.

G. L. 156, § 33, etc., amended.

Certificates of stock of business corporations to contain statement of certain limitations and preferences or a notification as to filing of same.

G. L. 156, § 43, amended.

SECTION 167. Section forty-three of said chapter one hundred and fifty-six is hereby amended by striking out the last comma in the eleventh line, — and by striking out, in the twelfth line, the words "who shall cause them and the endorsement thereon to be recorded", — so that the second sentence will read as follows: — Thereupon the articles of amendment shall, upon payment of the fee provided in section fifty-four or fifty-five, as the case may be, be filed in the office of the state secretary.

Articles of amendment, filing in office of state secretary.

G. L. 156, § 53, etc., amended.

SECTION 168. Section fifty-three of said chapter one hundred and fifty-six, as amended by section one of chapter three hundred and sixty of the acts of nineteen hundred and twenty-eight, is hereby further amended by striking out, in the first line, the words "and recording", — so as to read as follows: — *Section 53.* The fee for filing the articles of organization required by section ten, including the issuing by the state secretary of the certificate of incorporation, shall be one twentieth of one per cent of the total amount of the authorized capital stock with par value, and one cent a share for all authorized shares without par value, as fixed by the articles of organization, but not in any case less than fifty dollars.

Fee for filing articles of organization.

G. L. 157, § 7, amended.

SECTION 169. Section seven of chapter one hundred and fifty-seven of the General Laws is hereby amended by striking out all after the word "secretary" in the fifteenth line, — so that the last sentence will read as follows: — Upon the payment of one dollar, said certificate shall be filed in the office of the state secretary.

Co-operative corporations.

Certificate of organization to be filed.

G. L. 157, § 9, amended.

SECTION 170. Section nine of said chapter one hundred and fifty-seven is hereby amended by striking out, in the first line, the words "and recording", — so as to read as follows: — *Section 9.* The fee for filing the articles of organization required by section three, including the issuing by the state secretary of the certificate of incorporation, shall be one twentieth of one per cent of the total amount of the authorized capital stock as fixed by the articles of organization, but in no case less than five dollars.

Fee for filing articles of organization.

G. L. 157, § 18, amended.

SECTION 171. Section eighteen of said chapter one hundred and fifty-seven, inserted by section four of chapter four hundred and thirty-eight of the acts of nineteen hundred and twenty-three, is hereby amended by striking out, in the ninth line, the words "and recording", — so that the last sentence will read as follows: — The fee for filing the articles of organization required by section ten, including the issuing by the state secretary of the certificate of incorporation, shall be fifty dollars.

Certain agricultural, etc., associations.

Fee for filing articles of organization.

G. L. 158, § 9, amended.

SECTION 172. Section nine of chapter one hundred and fifty-eight of the General Laws is hereby amended by striking out, in the fourteenth and fifteenth lines, the words "cause the same with the endorsement thereon to be recorded, and shall thereupon", — so that the sentence included in lines twelve to sixteen, inclusive, will read as follows: — Such certificate shall thereupon be filed by said officers in the office of the state secretary, who, upon pay-

Certain miscellaneous corporations.

Certificate of organization to be filed.

ment of the fee hereinafter provided, shall issue a certificate in the following form:

Section 173. Section thirty-seven of said chapter one hundred and fifty-eight, as amended by chapter twenty-six of the acts of nineteen hundred and twenty-six and by section one of chapter one hundred and eighty-eight of the acts of the current year, is hereby further amended by striking out, in the fourteenth and fifteenth lines, the words ", by the act of filing, be considered as recorded and shall", — so that the last two sentences will read as follows: — Such certificates shall be preserved by the state secretary in book form convenient for reference. Such certificate of a corporation having a capital stock of one hundred thousand dollars or more shall be verified by an auditor as provided in section forty-nine of chapter one hundred and fifty-six.

G. L. 158, § 37, etc., amended.

Annual certificates of condition.

Preservation by state secretary.

Section 174. Said chapter one hundred and fifty-eight, as amended in section forty-three by section three of chapter forty-four of the acts of nineteen hundred and twenty-four, is hereby further amended by striking out said section forty-three and inserting in place thereof the following: — *Section 43.* The fees for filing the following certificates and copies of votes required to be filed with the state secretary shall be as follows:

G. L. 158, § 43, etc., amended.

Fees for filing certificates.

For filing the certificates required by section nine, including the issuing of the certificate of incorporation by the state secretary, one twentieth of one per cent of the amount of the capital stock as fixed by the agreement of association; but not less in any case than five dollars.

Of organization.

For filing the certificate required by section thirty-nine, one twentieth of one per cent of the amount by which the capital is increased.

Of increase of capital.

For filing the copies of the votes or certificates required by section eleven, thirty-six, thirty-seven or forty of this chapter or section sixteen of chapter one hundred and fifty-five, ten dollars for each copy or certificate; for filing any other certificate required by law, one dollar.

Other certificates.

Section 175. Section ten of chapter one hundred and sixty-eight of the General Laws is hereby amended by striking out, in the eighteenth and nineteenth lines, the words "cause the same, with the endorsement thereon, to be recorded, and shall thereupon", — so that the last sentence of the fourth paragraph will read as follows: — Thereupon the articles shall be filed in the office of the state secretary, who upon payment of a fee of five dollars, shall issue a certificate of incorporation in the following form:

G. L. 168, § 10, amended.

Issue of certificate of incorporation of savings bank.

Section 176. Section five of chapter one hundred and seventy of the General Laws is hereby amended by striking out, in the seventeenth and eighteenth lines, the words "cause the same, with the endorsement thereon, to be recorded, and shall thereupon", — so that the last sentence of the fourth paragraph will read as follows: — Thereupon the articles shall be filed in the office of the state secretary, who upon receipt of five dollars, shall issue a certificate of incorporation in the following form:

G. L. 170, § 5, amended.

Issue of certificate of incorporation of co-operative bank.

G. L. 171, § 3, etc., amended.

SECTION 177. Section three of chapter one hundred and seventy-one of the General Laws, as most recently amended by chapter one hundred and eighty of the acts of nineteen hundred and thirty, is hereby further amended by striking out, in the fourth line of the first paragraph, as appearing in section one of chapter two hundred and seventy-three of the acts of nineteen hundred and twenty-six, the words "and recording", — so that the first paragraph will read as follows: —

Law applicable to credit unions.

Credit unions shall be organized under the provisions, so far as applicable, of sections seven to eleven, inclusive, of chapter one hundred and seventy-two, except that the fee for filing the articles of organization, including the issuing by the state secretary of the certificate of incorporation, shall be five dollars. So much of chapter one hundred and sixty-seven as relates to supervision by the commissioner shall apply to credit unions so far as applicable.

G. L. 172, § 10, etc., amended.

SECTION 178. Section ten of chapter one hundred and seventy-two of the General Laws, as amended by section two of chapter two hundred and sixty-three of the acts of nineteen hundred and twenty-two, is hereby further amended by striking out the last sentence of the fourth paragraph and inserting in place thereof the following: — The articles shall be filed within thirty days thereafter in the office of the state secretary, who, upon payment of a fee equal to one twentieth of one per cent of the capital stock of said corporation as set forth in said articles, shall issue a certificate of incorporation in the following form:

Trust companies to file articles of organization with state secretary.

G. L. 176, § 9, amended.

SECTION 179. Section nine of chapter one hundred and seventy-six of the General Laws is hereby amended by striking out, in the fifth and sixth lines, the words "cause the same, with the endorsements, to be recorded, and shall thereupon", — so that the first paragraph will read as follows: —

Fraternal benefit societies to file certificate of organization.

The society shall file a certificate of organization, with the certificate of the commissioner endorsed thereon, and if on the lodge plan also the certificate required by the preceding section, in the office of the state secretary, who, upon the receipt of five dollars, shall issue a certificate in the following form:

G. L. 176, § 11, amended.

SECTION 180. Section eleven of said chapter one hundred and seventy-six is hereby amended by striking out, in the ninth and tenth lines, the words "and recorded", — so that the third sentence will read as follows: — The state secretary shall, upon receipt of five dollars, cause such certificate to be filed in his office.

Certificate altering purpose of corporation to be filed.

G. L. 179, § 3, amended.

SECTION 181. Section three of chapter one hundred and seventy-nine of the General Laws is hereby amended by striking out, in the ninth line, the words "for record", — so that the last sentence will read as follows: — The clerk, treasurer and collector shall forthwith make, sign, swear to and file in the office of the state secretary a certificate setting forth the name of the corporation, its purpose, the town and county where it is located, the date of the meeting for organ-

Proprietors of real estate lying in common.

Filing of certificate with state secretary.

ization and any adjournments thereof, and any other facts of importance contained in the proceedings of organization; otherwise, the organization shall be void.

1922, 151, § 1, amended.

Section 182. Section one of chapter one hundred and fifty-one of the acts of nineteen hundred and twenty-two is hereby amended by striking out, in the first, second and third lines, the words "Chapter four of the General Laws is hereby amended by inserting after section seven the following new section: — *Section 7A.*", — so as to read as follows: — *Section 1.* The certificates, articles of organization and amendment and affidavits relating to corporations, labels and limited partnerships, and to the insignia, ribbons, badges, rosettes, buttons and emblems of any society, association or labor union, required by law to be filed and recorded in the office of the state secretary shall by the act of filing be deemed and taken to be recorded within the meaning of the statute requiring such record to be made, and when so filed shall be preserved in form convenient for reference.

Filing in office of state secretary of certain certificates, etc.

G. L. 4, § 6, par. Sixth, etc., amended.

Section 183. The paragraph entitled "Sixth" of section six of chapter four of the General Laws, as amended by section two of chapter one hundred and eighty-seven of the acts of nineteen hundred and twenty-six, is hereby further amended by striking out, in the fourth line, the words ", notary public or special commissioner" and inserting in place thereof the words: — or notary public, — so as to read as follows: —

Oath or acknowledgment, before whom.

Sixth, Wherever any writing is required to be sworn to or acknowledged, such oath or acknowledgment shall be taken before a justice of the peace or notary public, or such oath may be dispensed with if the writing required to be sworn to contains or is verified by a written declaration under the provisions of section one A of chapter two hundred and sixty-eight.

Oath dispensed with if, etc.

G. L. 9, § 15, amended.

Section 184. Section fifteen of chapter nine of the General Laws is hereby amended by striking out, in the second line, the words ", special commissioner", — so as to read as follows: — *Section 15.* The secretary shall send by registered mail to every justice of the peace or notary public a notice of the time of expiration of his commission, not more than thirty nor less than fourteen days before such expiration.

Notice of expiration of commissions.

G. L. 159, § 91, amended.

Section 185. Section ninety-one of chapter one hundred and fifty-nine of the General Laws is hereby amended by striking out the first comma, in the second line, and inserting in place thereof the word: — or, — and by striking out, in the same line, the words "or special commissioner", — so as to read as follows: — *Section 91.* Such police officers shall be sworn before a justice of the peace or notary public, and shall hold their offices until their appointment is revoked by the mayor of the city or the selectmen of the town where they are appointed; but such petitioner, upon ceasing to require the services of any of such officers, shall file a notice to that effect with the clerk of the city or town where he is appointed, and with the clerks of the several cities and towns

Railroad, street railway and steamboat police, term of office.

where notice of such appointment has been filed, and thereupon the power of such officer shall cease.

G. L. 183, § 30, amended.

SECTION 186. Section thirty of chapter one hundred and eighty-three of the General Laws is hereby amended by striking out, in the sixth line, the comma before the word "notary" and inserting in place thereof the word: — or, — and by striking out, in the seventh line, the words "or special commissioner", — so that clause (*a*) of said section will read as follows: —

Acknowledgment of deed, how made.

(*a*) If within the commonwealth, before a justice of the peace or notary public.

G. L. 215, § 38, amended.

SECTION 187. Section thirty-eight of chapter two hundred and fifteen of the General Laws is hereby amended by striking out the comma after the word "peace" in the third line and inserting in place thereof the word: — or, — and by striking out, in the same line, the words "or special commissioner", — so as to read as follows: — *Section 38.* Oaths required in proceedings in probate courts may be administered by the judge, register or assistant register in or out of court or by a justice of the peace or notary public, and, when administered out of court, a certificate thereof shall be returned and filed or recorded with the proceedings; but the judge may require any such oath to be taken before him in open court.

Oaths required in proceedings in probate courts.

G. L. 222, § 8, amended.

SECTION 188. Section eight of chapter two hundred and twenty-two of the General Laws is hereby amended by striking out the comma in the first line and inserting in place thereof the word: — or, — and by striking out, in the first and second lines, the words "or special commissioner", — so as to read as follows: — *Section 8.* A justice of the peace or notary public, when taking acknowledgment of any instrument provided by law to be recorded, shall affix thereto the date of the expiration of his commission in the following language: "My commission expires ". Failure to comply with this section shall not affect the validity of any instrument, or the record thereof.

Justices of peace, etc., to affix date of expiration of commission.

G. L. 222, § 9, amended.

SECTION 189. Section nine of said chapter two hundred and twenty-two is hereby amended by striking out the comma in the first line and inserting in place thereof the word: — or, — and by striking out, in the second line, the words "or special commissioner", — so as to read as follows: — *Section 9.* Whoever presumes to act as a justice of the peace or notary public after the expiration of his commission, and after receiving notice of such expiration, shall be punished by a fine of not less than one hundred nor more than five hundred dollars.

Penalty for acting as justice of the peace, etc., after expiration of commission.

G. L. 233, § 1, etc., amended.

SECTION 190. Section one of chapter two hundred and thirty-three of the General Laws, as amended by chapter two hundred and sixty-three of the acts of nineteen hundred and twenty-three, is hereby further amended by striking out, in the third line and in the sixth and seventh lines, respectively, the words "or a special commissioner", — and by striking out, in the second line and in the sixth line, the comma after

the word "public" and inserting in place thereof, in each instance, the word: — or, — so as to read as follows: — *Section 1.* A clerk of a court of record, a notary public or a justice of the peace may issue summonses for witnesses in all cases pending before courts, magistrates, auditors, referees, arbitrators or other persons authorized to examine witnesses; but a notary public or a justice of the peace shall not issue summonses for witnesses in criminal cases except upon request of the attorney general, district attorney or other person who acts in the case in behalf of the commonwealth or of the defendant. If the summons is issued at the request of the defendant that fact shall be stated therein. The summons shall be in the form heretofore adopted and commonly used, but may be altered from time to time like other writs. Witnesses, how summoned.

Section 191. Section twenty-six of said chapter two hundred and thirty-three is hereby amended by striking out, in the third line, the words "or a special commissioner", — by striking out, in the fourth and fifth lines, the words "or commissioner", — and by striking out, in the fifth line the words "or special commissioner", — so as to read as follows: — *Section 26.* After service of process in an action, or after a submission to arbitrators or referees, either party may apply to a justice of the peace, who shall issue a notice to the adverse party to appear and propose interrogatories before said justice or any other justice of the peace at the time and place appointed for taking the deposition. G. L. 233, § 26, amended. Deposition. Notice.

Section 192. Section twenty-nine of said chapter two hundred and thirty-three is hereby amended by striking out, in the first line, the words "or commissioner", — so as to read as follows: — *Section 29.* The justice who takes the deposition may give a verbal instead of the written notice. If the adverse party or his attorney in writing waives notice, or if the defendant does not enter his appearance in the action within the time required by law, no notice shall be required. G. L. 233, § 29, amended. Verbal notice. Notice not necessary under certain circumstances.

Section 193. Section thirty of said chapter two hundred and thirty-three is hereby amended by striking out, in the fourth line, the words "or commissioner", — so as to read as follows: — *Section 30.* The deponent shall be sworn or affirmed to testify the truth, the whole truth and nothing but the truth, relative to the cause for which the deposition is taken. He shall then be examined by the justice, and the parties if they think fit, and his testimony shall be taken in writing. G. L. 233, § 30, amended. Deponent, how sworn and examined.

Section 194. Section thirty-two of said chapter two hundred and thirty-three is hereby amended by striking out, in the first and second lines, the word ", commissioner," and by inserting in place thereof the word: — or, — and by striking out, in the third line, the words "or commissioner", — so as to read as follows: — *Section 32.* The deposition shall be written by the justice or deponent or by a disinterested person in the presence and under the direction of the justice, G. L. 233, § 32, amended. Manner of taking deposition.

shall be carefully read to or by the deponent, and then subscribed by him.

G. L. 233, § 33, amended.

SECTION 195. Section thirty-three of said chapter two hundred and thirty-three is hereby amended by striking out, in the first line, the words "or commissioner", — so as to read as follows: — *Section 33.* The justice shall annex to the deposition a certificate of the time and manner of taking it, the person at whose request and the cause in which it was taken, the reason for taking it, and that the adverse party attended, or if he did not attend what notice was given to him.

Certificate to be annexed.

G. L. 233, § 34, amended.

SECTION 196. Section thirty-four of said chapter two hundred and thirty-three is hereby amended by striking out, in the first and second lines, the words "or commissioner", — so as to read as follows: — *Section 34.* The deposition shall be delivered by the justice to the court, arbitrators, referees or other persons before whom the cause is pending, or shall be enclosed and sealed by him and directed to it or them, and shall remain sealed until opened by it or them.

Deposition to be sent to court, etc.

G. L. 233, § 45, amended.

SECTION 197. Section forty-five of said chapter two hundred and thirty-three is hereby amended by striking out, in the fifth and ninth lines, the words "or a special commissioner", — so as to read as follows: — *Section 45.* A person may be summoned and compelled, in like manner and under the same penalties as are provided for a witness before a court, to give his deposition in a cause pending in a court of any other state or government. Such deposition may be taken before a justice of the peace in the commonwealth, or before a commissioner appointed under the authority of the state or government in which the action is pending. If the deposition is taken before such commissioner, the witness may be summoned and compelled to appear before him by process from a justice of the peace in the commonwealth.

Depositions for other states.

G. L. 233, § 46, amended.

SECTION 198. Section forty-six of said chapter two hundred and thirty-three is hereby amended by striking out in the third line the words "or special commissioners", — so as to read as follows: — *Section 46.* If a person desires to perpetuate his own testimony or the testimony of another person, he shall apply in writing to two justices of the peace, one of whom shall be an attorney at law, requesting them to take his deposition or the deposition of the person whose testimony he desires to perpetuate, and stating briefly and substantially his title, claim or interest in or to the subject relative to which he desires the evidence perpetuated, the names of all other persons interested or supposed to be interested therein and the name of the witness proposed to be examined.

Depositions to perpetuate testimony.

G. L. 233, § 47, amended.

SECTION 199. Section forty-seven of said chapter two hundred and thirty-three is hereby amended by striking out, in the first and fifth lines, the words "or commissioners", — so as to read as follows: — *Section 47.* The justices shall thereupon cause notice of the time and place appointed for taking the deposition to be given to all persons named in said statement as interested in the case, in the manner pro-

Notice.

vided in sections twenty-six to twenty-nine, inclusive; and if in the opinion of the justices no sufficient provision is made by law for giving notice to parties adversely interested, they shall cause such reasonable notice to be given as they consider proper. A person may be summoned and compelled to give a deposition in perpetuation of his testimony in like manner and under the same penalties as are provided for a witness before a court. Compelling testimony.

Section 200. Section forty-eight of said chapter two hundred and thirty-three is hereby amended by striking out, in the second line, the words "or commissioners", — so as to read as follows: — *Section 48.* If at the time and place so appointed a witness or a person interested appears and objects, the justices shall not take the deposition unless upon hearing the parties they shall find that such testimony may be material to the petitioner and, except when the witness himself is petitioner, that it is not sought for the purpose of discovery or of using it in an action then pending or thereafter to be brought against said witness, and that the petitioner is in danger of losing the same before it can be taken in any action wherein his right, title, interest or claim can be tried. In all cases the petitioner, his agent or attorney shall, at the request of such witness or of a person interested, be examined on oath relative to his reasons for taking the deposition. G. L. 233, § 48, amended. Procedure on objection to taking deposition.

Section 201. Section forty-nine of said chapter two hundred and thirty-three is hereby amended by striking out, in the third and fourth lines, the words "or commissioners", — so as to read as follows: — *Section 49.* The deponent shall be sworn and examined, and his deposition shall be written, read and subscribed in the manner provided in sections thirty to thirty-two, inclusive; and the justices shall sign and annex thereto a certificate of the name of the person at whose request it was taken, the names of all persons who were notified to attend, of all who attended the taking thereof, of the time and manner of taking it, and that it was taken for the purpose of perpetuating the testimony therein. G. L. 233, § 49, amended. Method of taking.

Section 202. Section one of chapter two hundred and sixty-seven of the General Laws is hereby amended by striking out, in the fourth line, the words ", special commissioner", — so as to read as follows: — *Section 1.* Whoever, with intent to injure or defraud, falsely makes, alters, forges or counterfeits a public record, or a certificate, return or attestation of a clerk or register of a court, public register, notary public, justice of the peace, town clerk or any other public officer, in relation to a matter wherein such certificate, return or attestation may be received as legal proof; or a charter, deed, will, testament, bond or writing obligatory, power of attorney, policy of insurance, bill of lading, bill of exchange or promissory note; or an order, acquittance or discharge for money or other property; or an acceptance of a bill of exchange, or an endorsement or assignment of a bill of exchange or promissory note for the payment of money; G. L. 267, § 1, amended. Forgery of records, certificates, etc.

or an accountable receipt for money, goods or other property; or a stock certificate, or any evidence or muniment of title to property; or a certificate of title, duplicate certificate of title, certificate issued in place of a duplicate certificate, the registration book, entry book, or any indexes provided for by chapter one hundred and eighty-five, or the docket of the recorder; shall be punished by imprisonment in the state prison for not more than ten years or in jail for not more than two years.

G. L. 6, § 12, amended.

SECTION 203. Section twelve of chapter six of the General Laws is hereby amended by striking out, in the fourth line, the words "state auditor" and inserting in place thereof the word: — comptroller, — so as to read as follows: —

Compensation of commissioners, etc.

Section 12. The compensation of legal counsel and commissioners appointed by the governor shall, unless otherwise provided, be determined by the governor and council, who shall approve such claims before they are sent to the comptroller.

G. L. 32, § 49, etc., amended.

SECTION 204. Section forty-nine of chapter thirty-two of the General Laws, as amended by chapter two hundred and seventy-nine of the acts of nineteen hundred and twenty-one, is hereby further amended by striking out, in the last line, the words "state auditor" and inserting in place thereof the word: — comptroller, — so that the last sentence will read as follows: — A veteran otherwise qualified for retirement under this section, whose term of service was for a fixed number of years which has expired, or whose office has been abolished, shall be entitled to its benefits, without reappointment, from the date of incapacitation, said date to be determined by the governor and to be certified by him to the comptroller.

Right of certain veterans of the civil war to state pensions, etc.

G. L. 185, § 104, amended.

SECTION 205. Section one hundred and four of chapter one hundred and eighty-five of the General Laws is hereby amended by striking out, in the second line, the words "state auditor" and inserting in place thereof the word: — comptroller, — so as to read as follows: — *Section 104.* If the assurance fund at any time is not sufficient to meet the amount called for by such certificate of the comptroller the state treasurer shall make up the deficiency from any funds in the treasury not otherwise appropriated; and, in such case, any amounts thereafter received by the state treasurer on account of the assurance fund shall be transferred to the general funds of the treasury, until the amount paid on account of the deficiency shall have been made up.

Proceedings if assurance fund is insufficient.

G. L. 194, § 17, amended.

SECTION 206. Section seventeen of chapter one hundred and ninety-four of the General Laws is hereby amended by striking out, in the eighth line, the words "state auditor", — and by striking out, in the ninth line, the word "auditor" and inserting in place thereof, in each instance, the word: — comptroller, — so that the last sentence will read as follows: — Such claims may be presented to the comptroller within one year from such payment to the treasurer, and the comptroller shall examine such claims and allow such as may be

Disposition of estates of less than one hundred dollars.

proved to his satisfaction, and upon the expiration of the year shall forthwith certify the same to the governor and council for payment of the whole of the claims or such proportion thereof as the funds will allow.

G. L. 217, § 14, amended.

Section 207. Section fourteen of chapter two hundred and seventeen of the General Laws is hereby amended by striking out, in the second line, the words "state auditor" and inserting in place thereof the word: — comptroller, — so as to read as follows: — *Section 14.* The register shall certify upon his records and to the comptroller the number of days, the dates upon which, and the occasions for which, the duties of the judge of probate are performed by a judge of another county under section eight.

Registers of probate and insolvency shall certify amount of assistance.

G. L. 4, § 7, etc., amended.

Section 208. Section seven of chapter four of the General Laws, as most recently amended by section one of chapter three hundred and seventy-seven of the acts of nineteen hundred and twenty-nine, is hereby further amended by striking out, in the eighteenth line, the words "police and", — so that the clause entitled "Seventh" of said section will read as follows: —

Meaning of word "District" in construing statutes.

Seventh, "District", when applied to courts or the justices or other officials thereof, shall include municipal.

G. L. 218, § 1, etc., amended.

Section 209. Chapter two hundred and eighteen of the General Laws, as most recently amended in section one by section one of chapter one hundred and thirty-two of the acts of nineteen hundred and thirty, is hereby further amended by striking out said section and inserting in place thereof the following: — *Section 1.* The judicial districts of the several district courts shall continue to comprise the following cities, towns, wards and territory, in the following counties, respectively:

Territorial jurisdiction and place of holding court.

Barnstable.

First Barnstable.

The first district court of Barnstable, held at Barnstable and Falmouth; Barnstable, Bourne, Yarmouth, Sandwich, Falmouth and Mashpee.

Second Barnstable.

The second district court of Barnstable, held at Harwich and Provincetown; Provincetown, Truro, Wellfleet, Eastham, Orleans, Brewster, Chatham, Harwich and Dennis.

Berkshire.

Central Berkshire.

The district court of central Berkshire, held at Pittsfield; Pittsfield, Hancock, Lanesborough, Peru, Hinsdale, Dalton, Washington, Richmond, Lenox, Becket and Windsor; the district court of Lee exercising concurrent jurisdiction in Lenox and Becket and the fourth district court of Berkshire exercising concurrent jurisdiction in Windsor.

Northern Berkshire.

The district court of northern Berkshire, held at North Adams; North Adams, Clarksburg and Florida.

Southern Berkshire.

The district court of southern Berkshire, held at Great Barrington; Sheffield, Great Barrington, Egremont, Alford, Mount Washington, Monterey, New Marlborough, West

Stockbridge and Sandisfield; the district court of Lee exercising concurrent jurisdiction in Sandisfield.

Fourth Berkshire. The fourth district court of Berkshire, held at Adams; Adams, Cheshire, Savoy and Windsor; the district court of central Berkshire exercising concurrent jurisdiction in Windsor.

District court of Lee. The district court of Lee, held at Lee; Lee, Stockbridge, Tyringham, Otis, Sandisfield, Lenox and Becket; the district court of southern Berkshire exercising concurrent jurisdiction in Sandisfield and the district court of central Berkshire exercising concurrent jurisdiction in Lenox and Becket.

District court of Williamstown. The district court of Williamstown, held at Williamstown; Williamstown and New Ashford.

Bristol.

First Bristol. The first district court of Bristol, held at Taunton; Taunton, Rehoboth, Berkley, Dighton, Seekonk, Easton and Raynham.

Second Bristol. The second district court of Bristol, held at Fall River; Fall River, Somerset, Swansea, Freetown and Westport; the third district court of Bristol exercising concurrent jurisdiction in Freetown and Westport.

Third Bristol. The third district court of Bristol, held at New Bedford; New Bedford, Fairhaven, Acushnet, Dartmouth, Freetown and Westport; the second district court of Bristol exercising concurrent jurisdiction in Freetown and Westport.

Fourth Bristol. The fourth district court of Bristol, held at Attleboro; Attleboro, North Attleborough, Mansfield and Norton.

Dukes County.

Dukes County. The district court of Dukes County, held at Oak Bluffs, Edgartown and Tisbury; Dukes County.

Essex.

First Essex. The first district court of Essex, held at Salem; Salem, Beverly, Danvers, Hamilton, Middleton, Topsfield, Wenham and Manchester.

Second Essex. The second district court of Essex, held at Amesbury; Amesbury, Merrimac and Salisbury; the district court of Newburyport exercising concurrent jurisdiction in Salisbury.

Third Essex. The third district court of Essex, held at Ipswich; Ipswich.

Central northern Essex. The central district court of northern Essex, held at Haverhill; Haverhill, Groveland, Georgetown, Boxford and West Newbury; the district court of Newburyport exercising concurrent jurisdiction in West Newbury.

Eastern Essex. The district court of eastern Essex, held at Gloucester; Gloucester, Rockport and Essex.

Southern Essex. The district court of southern Essex, held at Lynn; Lynn, Swampscott, Saugus, Marblehead and Nahant.

District court of Lawrence. The district court of Lawrence, held at Lawrence and Methuen; Lawrence, Andover, North Andover and Methuen.

The district court of Newburyport, held at Newburyport; Newburyport, Newbury, Rowley, Salisbury and West Newbury; the second district court of Essex exercising concurrent jurisdiction in Salisbury and the central district court of northern Essex exercising concurrent jurisdiction in West Newbury. District court of Newburyport.

The district court of Peabody, held at Peabody; Peabody and Lynnfield. District court of Peabody.

Franklin.

The district court of Franklin, held at Greenfield, at Turners Falls in Montague, and at Shelburne Falls in Shelburne and Buckland; Franklin county, except Orange, Erving, Warwick, Wendell and New Salem. Franklin.

The district court of eastern Franklin, held at Orange; Orange, Erving, Warwick, Wendell and New Salem. Eastern Franklin.

Hampden.

The district court of eastern Hampden, held at Palmer; Palmer, Brimfield, Monson, Holland, Wales and Wilbraham. Eastern Hampden.

The district court of western Hampden, held at Westfield and Chester; Westfield, Chester, Granville, Southwick, Russell, Blandford, Tolland and Montgomery. Western Hampden.

The district court of Chicopee, held at Chicopee; Chicopee. District court of Chicopee.

The district court of Holyoke, held at Holyoke; Holyoke. District court of Holyoke.

The district court of Springfield, held at Springfield; Springfield, West Springfield, Agawam, Longmeadow, East Longmeadow, Hampden and Ludlow. District court of Springfield.

Hampshire.

The district court of Hampshire, held at Northampton, Amherst, Cummington, Belchertown, South Hadley, Huntington and Easthampton; Hampshire county, except Ware, Enfield, Greenwich and Prescott. Hampshire.

The district court of eastern Hampshire, held at Ware; Ware, Enfield, Greenwich and Prescott. Eastern Hampshire.

Middlesex.

The district court of central Middlesex, held at Concord; Concord, Acton, Bedford, Carlisle, Lincoln, Maynard, Stow and Lexington. Central Middlesex.

The first district court of northern Middlesex, held at Ayer; Ayer, Groton, Pepperell, Townsend, Ashby, Shirley, Westford, Littleton and Boxborough. First northern Middlesex.

The first district court of eastern Middlesex, held at Malden; Malden, Wakefield, Melrose, Everett and Medford. First eastern Middlesex.

The second district court of eastern Middlesex, held at Waltham; Waltham, Watertown and Weston. Second eastern Middlesex.

The third district court of eastern Middlesex, held at Cambridge; Cambridge, Arlington and Belmont. Third eastern Middlesex.

The fourth district court of eastern Middlesex, held at Woburn; Woburn, Winchester, Burlington, Wilmington, Stoneham, Reading and North Reading. Fourth eastern Middlesex.

First southern Middlesex. The first district court of southern Middlesex, held at Framingham; Framingham, Ashland, Holliston, Sherborn, Sudbury, Wayland and Hopkinton.

District court of Lowell. The district court of Lowell, held at Lowell; Lowell, Tewksbury, Billerica, Dracut, Chelmsford, Dunstable and Tyngsborough.

District court of Marlborough. The district court of Marlborough, held at Marlborough; Marlborough and Hudson.

District court of Natick. The district court of Natick, held at Natick; Natick.

District court of Newton. The district court of Newton, held at Newton; Newton.

District court of Somerville. The district court of Somerville, held at Somerville; Somerville.

Nantucket.

Nantucket. The district court of Nantucket, held at Nantucket; Nantucket county.

Norfolk.

Northern Norfolk. The district court of northern Norfolk, held at Dedham; Dedham, Dover, Norwood, Westwood, Medfield, Needham and Wellesley.

East Norfolk. The district court of East Norfolk, held at Quincy; Quincy, Randolph, Braintree, Cohasset, Weymouth, Holbrook and Milton; and, in criminal cases, concurrently with the second district court of Plymouth, that part of Scituate described in chapter three hundred and ninety-four of the acts of nineteen hundred and twelve. Arrests and service of process in such cases may be made by an officer qualified to serve criminal process in Cohasset. This provision shall not increase the judicial district of said court for the purposes of section seventy-eight.

Southern Norfolk. The district court of southern Norfolk, held at Stoughton and Canton; Stoughton, Canton, Avon and Sharon.

Western Norfolk. The district court of western Norfolk, held at Franklin and Walpole; Franklin, Walpole, Bellingham, Foxborough, Medway, Millis, Norfolk, Wrentham and Plainville.

Municipal court of Brookline. The municipal court of Brookline, held at Brookline; Brookline.

Plymouth.

Second Plymouth. The second district court of Plymouth, held at Abington and Hingham; Abington, Hingham, Whitman, Rockland, Hull, Hanover, Scituate, Norwell and Hanson.

Third Plymouth. The third district court of Plymouth, held at Plymouth; Plymouth, Kingston, Plympton, Pembroke, Duxbury and Marshfield.

Fourth Plymouth. The fourth district court of Plymouth, held at Middleborough and Wareham; Middleborough, Wareham, Lakeville, Marion, Mattapoisett, Rochester and Carver.

District court of Brockton. The district court of Brockton, held at Brockton; Brockton, Bridgewater, East Bridgewater, Halifax and West Bridgewater.

Suffolk.

The municipal court of the city of Boston, held at Boston; wards six, seven, eight, nine, ten, eleven, twelve, sixteen, seventeen and eighteen of Boston as they existed on February first, eighteen hundred and eighty-two; and in criminal cases, concurrently with the municipal courts of the Roxbury and Brighton districts, the second and third district courts of eastern Middlesex, and the district court of Newton, respectively, so much of the Charles river basin, as defined in section two of chapter five hundred and twenty-four of the acts of nineteen hundred and nine, as affected by chapter two hundred and forty-five of the General Acts of nineteen hundred and sixteen, as is within the districts of said courts. Municipal court of Boston.

The municipal court of the Brighton district, held at Brighton in Boston; ward twenty-five of Boston as it existed on February first, eighteen hundred and eighty-two. Municipal court of Brighton district.

The municipal court of the Charlestown district, held at Charlestown in Boston; wards three, four and five of Boston as they existed on February first, eighteen hundred and eighty-two. Municipal court of Charlestown district.

The district court of Chelsea, held at Chelsea; Chelsea and Revere. District court of Chelsea.

The municipal court of the Dorchester district, held at Dorchester in Boston; ward twenty-four of Boston as it existed on February first, eighteen hundred and eighty-two. Municipal court of Dorchester district.

The East Boston district court, held at East Boston in Boston; Winthrop and wards one and two of Boston as they existed on March first, eighteen hundred and eighty-six. East Boston district court.

The municipal court of the Roxbury district, held at Roxbury in Boston; wards nineteen, twenty, twenty-one and twenty-two of Boston as they existed on February first, eighteen hundred and eighty-two. Municipal court of Roxbury district.

The municipal court of the South Boston district, held at South Boston in Boston; wards thirteen, fourteen and fifteen of Boston as they existed on February first, eighteen hundred and eighty-two. Municipal court of South Boston district.

The municipal court of the West Roxbury district, held at West Roxbury in Boston; ward twenty-three of Boston as it existed on February first, eighteen hundred and eighty-two, and the territory comprised within the limits of the former town of Hyde Park which was annexed to Boston by chapters four hundred and sixty-nine and five hundred and eighty-three of the acts of nineteen hundred and eleven. Municipal court of West Roxbury district.

Worcester.

The central district court of Worcester, held at Worcester; Worcester, Millbury, Sutton, Auburn, Leicester, Paxton, West Boylston, Holden, Shrewsbury, Rutland, Barre, Princeton and Oakham. Central Worcester.

The first district court of northern Worcester, held at Athol and Gardner; Athol, Gardner, Petersham, Phillipston, First northern Worcester.

Royalston, Templeton, Hubbardston, Dana and Westminster.

First eastern Worcester.

The first district court of eastern Worcester, held at Westborough and Grafton; Westborough, Grafton, Southborough and Northborough.

Second eastern Worcester.

The second district court of eastern Worcester, held at Clinton; Clinton, Berlin, Bolton, Boylston, Harvard, Lancaster and Sterling.

First southern Worcester.

The first district court of southern Worcester, held at Southbridge and Webster; Southbridge, Webster, Sturbridge, Charlton, Dudley and Oxford.

Second southern Worcester.

The second district court of southern Worcester, held at Blackstone and Uxbridge, and at Northbridge in that part thereof called Whitinsville; Blackstone, Uxbridge, Douglas, Northbridge and Millville.

Third southern Worcester.

The third district court of southern Worcester, held at Milford; Milford, Mendon, Upton and Hopedale.

Western Worcester.

The district court of western Worcester, held at East Brookfield; East Brookfield, Brookfield, Spencer, North Brookfield, West Brookfield, Warren, Hardwick and New Braintree. Said court may adjourn to any town within its district other than East Brookfield whenever the public convenience seems to the presiding justice to render such adjournment expedient.

District court of Fitchburg.

The district court of Fitchburg, held at Fitchburg; Fitchburg, Ashburnham and Lunenburg.

District court of Leominster.

The district court of Leominster, held at Leominster; Leominster.

District court of Winchendon.

The district court of Winchendon, held at Winchendon; Winchendon.

G. L. 218, § 2, etc., amended.

SECTION 210. Section two of said chapter two hundred and eighteen, as amended by section one of chapter four hundred and thirty of the acts of nineteen hundred and twenty-one, is hereby further amended by striking out, in the third line, the word "police" and inserting in place thereof the word: — district, — so as to read as follows: — *Section 2.* The municipal courts in Boston shall have concurrent jurisdiction over all waters, islands and places not included in the district of any one of said courts or of the district court of Chelsea, and within the jurisdiction of the superior court for Suffolk county, except as provided in the preceding and following sections.

Concurrent jurisdiction of Boston municipal courts over waters, islands, etc.

G. L. 116, § 5, etc., amended.

SECTION 211. Section five of chapter one hundred and sixteen of the General Laws, as most recently amended by chapter two hundred and ninety-two of the acts of nineteen hundred and twenty-six, is hereby further amended by striking out, in the fourteenth line, the word "almshouse" and inserting in place thereof the word: — infirmary, — so that the third sentence will read as follows: — The time during which a person shall be an inmate of any infirmary, jail, prison, or other public or state institution, within the commonwealth or in any manner under its care and direction, or that of an officer thereof, or of a soldiers' or sailors' home

Time in institutions not counted in computing time either for acquiring or defeating a settlement.

whether within or without the commonwealth, shall not be counted in computing the time either for acquiring or defeating a settlement, except as provided in section two.

Section 212. Section twenty-three of chapter one hundred and twenty-three of the General Laws is hereby amended by striking out, in the third line, the word "almshouse" and inserting in place thereof the word: — infirmary, — so as to read as follows: — *Section 23.* If the department has reason to believe that an insane, epileptic or feeble minded person who is a proper subject for treatment or custody in an institution, is confined in an infirmary or other place at the public charge or otherwise, it shall cause application to be made to a judge for the commitment of such person to an institution.

G. L. 123, § 23, amended.

Department of mental diseases to apply for commitment, when.

Section 213. Section forty-nine of chapter forty-three of the General Laws is hereby amended by inserting after the word "annual" in the first line the word: — , biennial, — so as to read as follows: — *Section 49.* No ballot used at any annual, biennial or special city election shall have printed thereon any party or political designation or mark, and there shall not be appended to the name of any candidate any such party or political designation or mark, or anything showing how he was nominated or indicating his views or opinions.

G. L. 43, § 49, amended.

City charters, Plan A.

Party or political designations abolished.

Section 214. Section one of chapter fifty of the General Laws, as most recently amended by section one of chapter two hundred and twelve of the acts of nineteen hundred and twenty-eight, is hereby further amended by inserting after the word "annual" in the forty-third line the words: — or biennial, — so that the paragraph contained in lines thirty-nine to forty-seven, inclusive, as printed in the General Laws, will read as follows: —

G. L. 50, § 1, etc., amended.

Definition. "Municipal party."

"Municipal party" shall apply to a party, not a political party as to state elections or state primaries, which at the preceding city or town election polled for mayor or a selectman at least three per cent of the entire vote cast in the city or town for that office, or, in a city, which files with the city clerk, at least sixty days before the annual or biennial municipal election, a petition to be allowed to place nominations of such party on the official ballot, signed in person by a number of registered voters of the city equal at least to three per cent of the entire vote polled in the city for mayor at the preceding election.

Section 215. Section twenty-four of chapter fifty-four of the General Laws is hereby amended by inserting after the word "annual" in the third line the words: — or biennial, — so that the first sentence will read as follows: — The aldermen in cities, except where city charters provide otherwise, and the selectmen of towns divided into voting precincts, shall, twenty days at least before the biennial state or annual or biennial city election and ten days at least before any special election of a state or city officer therein, designate the polling place for each voting precinct and cause it to be suitably fitted up and prepared therefor.

G. L. 54, § 24, amended.

Polling places, designation, preparation.

G. L. 54, § 63, amended.

SECTION 216. Section sixty-three of said chapter fifty-four is hereby amended by inserting after the word "annual" in the ninth line the words: — or biennial, — so that the last sentence will read as follows: — The biennial state and the annual or biennial city and town elections shall be called at least seven days before the day prescribed for the holding thereof. *Approved June 4, 1931.*

Calling of elections.

Chap. 395

AN ACT MAKING AVAILABLE FOR USE BY THE TOWN OF GREENFIELD, FOR THE PURPOSE OF RELOCATING HOPE STREET THEREIN, CERTAIN LANDS NOW OWNED BY THE COUNTY OF FRANKLIN AND BY SAID TOWN.

Be it enacted, etc., as follows:

Certain land owned by Franklin county to be made available for use by town of Greenfield for purpose of relocating Hope street.

SECTION 1. The county commissioners of the county of Franklin are hereby authorized to sell and convey to the town of Greenfield, and said town is hereby authorized to purchase, for use in connection with the relocation of Hope street in said town, and thereafter to use for highway purposes, a portion of a parcel of land bordering on said street, owned by said county and held by it for court house purposes; said portion being bounded and described as follows: — A certain tract of land owned by the county of Franklin and located on the easterly side of Hope street south of the Memorial hall property, so called, and containing about seven hundred and sixteen square feet of land.

Town may use for purpose of said relocation a portion of the Memorial hall property.

SECTION 2. Said town is hereby authorized to use, for the purpose of said relocation of Hope street therein, and thereafter to use for highway purposes, a portion of the Memorial hall property, so called, owned by said town; said portion being on the westerly side of said property and being bounded and described as follows: — Beginning at the northwest corner of the tract at a stone bound at the intersection of the present east line of Hope street with the south line of Main street; runs thence easterly along the south line of Main street fifteen and one one-hundredths feet; thence southerly with an interior angle on the property herein described of ninety-one degrees and fourteen minutes, a distance of one hundred and seventy-three and nine one-hundredths feet to a point in the north line of land of Franklin county; thence westerly with an interior angle on the property herein described of eighty-nine degrees, twenty-three minutes and twenty seconds, a distance of nine feet to an iron pin in the present east line of Hope street; thence northerly along the present east line of Hope street with an interior angle of ninety degrees and thirty-six and two thirds minutes, a distance of eighty-seven and thirty-seven one-hundredths feet; thence deflecting to the left three degrees and fifty-nine and one half minutes and continuing northerly along the present east line of Hope street eighty-six and seventeen one-hundredths feet to the point of beginning. Containing eighteen hundred and sixteen square feet of land.

Boundary and description.

SECTION 3. This act shall take effect upon its passage. *Approved June 5, 1931.*

AN ACT MAKING APPROPRIATIONS FOR THE MAINTENANCE OF CERTAIN COUNTIES, FOR INTEREST AND DEBT REQUIREMENTS, FOR CERTAIN PERMANENT IMPROVEMENTS, AND GRANTING A COUNTY TAX FOR SAID COUNTIES. *Chap.* 396

Emergency preamble.

Whereas, The deferred operation of this act would cause substantial inconvenience, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

Appropriations for maintenance of certain counties, for interest and debt requirements, for certain improvements, etc.

SECTION 1. The following sums are hereby appropriated for the counties hereinafter specified for the year nineteen hundred and thirty-one. No direct drafts against the account known as the reserve fund shall be made, but transfers from this account to other accounts may be made to meet extraordinary or unforeseen expenditures upon the request of the county commissioners and with the approval of the director of accounts.

SECTION 2.

Barnstable County.

Item		
1	For interest on county debt, a sum not exceeding fourteen thousand dollars	$14,000 00
2	For reduction of county debt, a sum not exceeding eighteen thousand four hundred dollars	18,400 00
3	For salaries of county officers and assistants, a sum not exceeding twenty thousand dollars	20,000 00
4	For clerical assistance in county offices, a sum not exceeding ten thousand five hundred dollars	10,500 00
5	For salaries and expenses of district courts, a sum not exceeding eighteen thousand dollars	18,000 00
6	For salaries of jailers, masters and assistants, and support of prisoners in jails and houses of correction, a sum not exceeding fourteen thousand one hundred dollars	14,100 00
7	For criminal costs in the superior court, a sum not exceeding eleven thousand dollars	11,000 00
8	For civil expenses in the supreme judicial, superior, probate and land courts, a sum not exceeding eleven thousand dollars	11,000 00
10	For transportation expenses of county and associate commissioners, a sum not exceeding one thousand dollars	1,000 00
11	For medical examiners, inquests, and commitments of the insane, a sum not exceeding three thousand dollars	3,000 00
12	For auditors, masters and referees, a sum not exceeding three thousand dollars	3,000 00
14	For repairing, furnishing and improving county buildings, a sum not exceeding nine thousand dollars	9,000 00
15	For care, fuel, lights and supplies in county buildings, other than jails and houses of correction, a sum not exceeding eighteen thousand dollars	18,000 00
16	For highways, including state highways, bridges and land damages, a sum not exceeding ninety thousand dollars	90,000 00
18	For training school, a sum not exceeding one thousand dollars	1,000 00
19	For county aid to agriculture, a sum not exceeding thirteen thousand dollars	13,000 00

Appropriations, etc., and county tax, Barnstable.

Appropriations, etc., and county tax, Barnstable.

Item		
20	For the sanatorium, a sum not exceeding fifty-two thousand five hundred dollars	$52,500 00
20a	For county health service, a sum not exceeding twelve thousand five hundred dollars	12,500 00
23	For miscellaneous and contingent expenses of the current year, a sum not exceeding three thousand five hundred dollars	3,500 00
23a	For unpaid bills of previous years, a sum not exceeding two thousand seven hundred thirty-four dollars	2,734 00
23b	For a state fire patrol, a sum not exceeding two thousand dollars	2,000 00
24	For a reserve fund, a sum not exceeding ten thousand dollars	10,000 00
	And the county commissioners of Barnstable county are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, the sum of two hundred fifty-four thousand six hundred forty dollars and ninety cents, to be expended, together with the cash balance on hand and the receipts from other sources, for the above purposes	$254,640 90

Berkshire County.

Appropriations, etc., and county tax, Berkshire.

1	For interest on county debt, a sum not exceeding twenty-two thousand dollars	$22,000 00
2	For reduction of county debt, a sum not exceeding eighteen thousand dollars	18,000 00
3	For salaries of county officers and assistants, a sum not exceeding twenty-nine thousand five hundred dollars	29,500 00
4	For clerical assistance in county offices, a sum not exceeding eleven thousand eight hundred dollars	11,800 00
5	For salaries and expenses of district courts, a sum not exceeding forty-five thousand dollars	45,000 00
6	For salaries of jailers, masters and assistants, and support of prisoners in jails and houses of correction, a sum not exceeding forty-four thousand five hundred dollars	44,500 00
7	For criminal costs in the superior court, a sum not exceeding twelve thousand dollars	12,000 00
8	For civil expenses in the supreme judicial, superior, probate, and land courts, a sum not exceeding fifteen thousand dollars	15,000 00
10	For transportation expenses of county and associate commissioners, a sum not exceeding two thousand dollars	2,000 00
11	For medical examiners, inquests, and commitments of the insane, a sum not exceeding five thousand five hundred dollars	5,500 00
12	For auditors, masters and referees, a sum not exceeding three thousand dollars	3,000 00
14	For repairing, furnishing and improving county buildings, a sum not exceeding ten thousand dollars	10,000 00
15	For care, fuel, lights and supplies in county buildings, other than jails and houses of correction, a sum not exceeding twenty thousand dollars	20,000 00
16	For highways, including state highways, bridges and land damages, a sum not exceeding two hundred thousand dollars	200,000 00
16a	For examination of dams, a sum not exceeding one thousand five hundred dollars	1,500 00
17	For law libraries, a sum not exceeding one thousand five hundred dollars	1,500 00

Item			
18	For training school, a sum not exceeding two thousand dollars	$2,000 00	Appropriations, etc., and county tax, Berkshire.
19	For county aid to agriculture, a sum not exceeding sixteen thousand dollars	16,000 00	
20	For the sanatorium (Hampshire county), a sum not exceeding twelve thousand five hundred dollars	12,500 00	
21	For the care and maintenance of Greylock state reservation, a sum not exceeding ten thousand dollars	10,000 00	
21a	For the care and maintenance of Mount Everett state reservation, a sum not exceeding two thousand dollars	2,000 00	
22	For pensions, a sum not exceeding eight hundred five dollars	805 00	
23	For miscellaneous and contingent expenses of the current year, a sum not exceeding five thousand three hundred dollars	5,300 00	
23a	For unpaid bills of previous years, a sum not exceeding five hundred dollars	500 00	
24	For a reserve fund, a sum not exceeding eight thousand dollars	8,000 00	
	And the county commissioners of Berkshire county are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, the sum of four hundred forty-eight thousand three hundred sixty-three dollars, to be expended, together with the cash balance on hand and the receipts from other sources, for the above purposes	$448,363 00	

Bristol County.

1	For interest on county debt, a sum not exceeding thirty-six thousand dollars	$36,000 00	Appropriations, etc., and county tax, Bristol.
2	For reduction of county debt, a sum not exceeding fifty-two thousand dollars	52,000 00	
3	For salaries of county officers and assistants, a sum not exceeding forty-six thousand seven hundred dollars	46,700 00	
4	For clerical assistance in county offices, a sum not exceeding forty thousand dollars	40,000 00	
5	For salaries and expenses of district courts, a sum not exceeding one hundred twelve thousand dollars	112,000 00	
6	For salaries of jailers, masters and assistants, and support of prisoners in jails and houses of correction, a sum not exceeding eighty-one thousand dollars	81,000 00	
7	For criminal costs in the superior court, a sum not exceeding fifty-five thousand dollars	55,000 00	
8	For civil expenses in the supreme judicial, superior, probate, and land courts, a sum not exceeding fifty thousand dollars	50,000 00	
10	For transportation expenses of county and associate commissioners, a sum not exceeding one thousand dollars	1,000 00	
11	For medical examiners, inquests, and commitments of the insane, a sum not exceeding sixteen thousand dollars	16,000 00	
12	For auditors, masters and referees, a sum not exceeding eight thousand dollars	8,000 00	
14	For repairing, furnishing and improving county buildings, a sum not exceeding seventeen thousand one hundred dollars	17,100 00	
15	For care, fuel, lights and supplies in county buildings, other than jails and houses of correction, a sum not exceeding forty-five thousand dollars	45,000 00	

	Item		
Appropriations, etc., and county tax, Bristol.	16	For highways, including state highways, bridges and land damages, a sum not exceeding one hundred twenty-four thousand dollars	$124,000 00
	17	For law libraries, a sum not exceeding seven thousand dollars	7,000 00
	18	For training school, a sum not exceeding twelve thousand five hundred dollars	12,500 00
	19	For the agricultural school, a sum not exceeding forty-nine thousand nine hundred dollars	49,900 00
	22	For pensions, a sum not exceeding eleven thousand dollars	11,000 00
	23	For miscellaneous and contingent expenses of the current year, a sum not exceeding one thousand dollars	1,000 00
	23a	For unpaid bills of previous years, a sum not exceeding three thousand dollars	3,000 00
	24	For a reserve fund, a sum not exceeding ten thousand dollars	10,000 00
		And the county commissioners of Bristol county are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, the sum of six hundred thirty-seven thousand two hundred dollars, to be expended, together with the cash balance on hand and the receipts from other sources, for the above purposes	$637,200 00

County of Dukes County.

Appropriations, etc., and county tax, Dukes County.	1	For interest on county debt, a sum not exceeding two thousand five hundred dollars	$2,500 00
	2	For reduction of county debt, a sum not exceeding seventeen thousand eight hundred ninety dollars and seventy-nine cents	17,890 79
	3	For salaries of county officers and assistants, a sum not exceeding six thousand one hundred dollars	6,100 00
	4	For clerical assistance in county offices, a sum not exceeding one thousand eight hundred fifty dollars	1,850 00
	5	For salaries and expenses of district courts, a sum not exceeding three thousand five hundred dollars	3,500 00
	6	For salaries of jailers, masters and assistants, and support of prisoners in jails and houses of correction, a sum not exceeding two thousand dollars	2,000 00
	7	For criminal costs in the superior court, a sum not exceeding one thousand five hundred dollars	1,500 00
	8	For civil expenses in the supreme judicial, superior, probate and land courts, a sum not exceeding one thousand five hundred dollars	1,500 00
	10	For transportation expenses of county and associate commissioners, a sum not exceeding three hundred fifty dollars	350 00
	11	For medical examiners, inquests, and commitments of the insane, a sum not exceeding three hundred dollars	300 00
	12	For auditors, masters and referees, a sum not exceeding three hundred fifty dollars	350 00
	14	For repairing, furnishing and improving county buildings, a sum not exceeding two thousand five hundred dollars	2,500 00
	15	For care, fuel, lights and supplies in county buildings, other than jails and houses of correction, a sum not exceeding two thousand five hundred dollars	2,500 00
	16	For highways, including state highways, bridges and land damages, a sum not exceeding two thousand dollars	2,000 00

Item			
17	For law libraries, a sum not exceeding one hundred fifty dollars	$150 00	Appropriations, etc., and county tax, Dukes County.
18	For training school, a sum not exceeding two hundred fifty dollars	250 00	
19	For county aid to agriculture, a sum not exceeding four hundred dollars	400 00	
20	For the sanatorium (Barnstable county) a sum not exceeding five thousand two hundred dollars	5,200 00	
21	For the Gay Head reservation, a sum not exceeding two hundred fifty dollars	250 00	
23	For miscellaneous and contingent expenses of the current year, a sum not exceeding six hundred dollars	600 00	
24	For a reserve fund, a sum not exceeding five hundred dollars	500 00	
	And the county commissioners of the county of Dukes County are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, the sum of forty-six thousand seven hundred sixty-five dollars and fifty-four cents, to be expended, together with the cash balance on hand and the receipts from other sources, for the above purposes	$46,765 54	

Essex County.

1	For interest on county debt, a sum not exceeding twenty-three thousand dollars	$23,000 00	Appropriations, etc., and county tax, Essex.
2	For reduction of county debt, a sum not exceeding one hundred seventy-three thousand five hundred dollars	173,500 00	
3	For salaries of county officers and assistants, a sum not exceeding fifty-eight thousand dollars	58,000 00	
4	For clerical assistance in county offices, a sum not exceeding one hundred four thousand eight hundred dollars	104,800 00	
5	For salaries and expenses of district courts, a sum not exceeding one hundred eighty-four thousand nine hundred dollars	184,900 00	
6	For salaries of jailers, masters and assistants, and support of prisoners in jails and houses of correction, a sum not exceeding eighty-five thousand five hundred dollars	85,500 00	
7	For criminal costs in the superior court, a sum not exceeding one hundred thousand dollars	100,000 00	
8	For civil expenses in the supreme judicial, superior, probate and land courts, a sum not exceeding ninety-five thousand dollars	95,000 00	
9	For trial justices, a sum not exceeding four thousand eight hundred dollars	4,800 00	
10	For transportation expenses of county and associate commissioners, a sum not exceeding two thousand seven hundred dollars	2,700 00	
11	For medical examiners, inquests, and commitments of the insane, a sum not exceeding thirteen thousand dollars	13,000 00	
12	For auditors, masters and referees, a sum not exceeding sixteen thousand dollars	16,000 00	
14	For repairing, furnishing and improving county buildings, a sum not exceeding thirty-four thousand dollars	34,000 00	
15	For care, fuel, lights, and supplies in county buildings, other than jails and houses of correction, a sum not exceeding seventy-one thousand dollars	71,000 00	
16	For highways, including state highways, bridges and land damages, a sum not exceeding four hundred fifty-one thousand dollars	451,000 00	

	Item		
Appropriations, etc., and county tax, Essex.	17	For law libraries, a sum not exceeding nine thousand dollars	$9,000 00
	18	For training school, a sum not exceeding fifty-four thousand dollars	54,000 00
	19	For maintenance of the independent agricultural school, a sum not exceeding one hundred sixty-three thousand three hundred dollars	163,300 00
	19a	For the equipment of the independent agricultural school, a sum not exceeding six thousand two hundred fifty dollars	6,250 00
	22	For pensions, a sum not exceeding two thousand five hundred forty-two dollars and fifty cents	2,542 50
	23	For miscellaneous and contingent expenses of the current year, a sum not exceeding three thousand five hundred dollars	3,500 00
	23a	For unpaid bills of previous years, a sum not exceeding one thousand dollars	1,000 00
	24	For a reserve fund, a sum not exceeding ten thousand dollars	10,000 00
		And the county commissioners of Essex county are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, the sum of one million two hundred forty-three thousand dollars, to be expended, together with the cash balance on hand and the receipts from other sources, for the above purposes	$1,243,000 00

Franklin County.

Appropriations, etc., and county tax, Franklin.	1	For interest on county debt, a sum not exceeding six thousand six hundred dollars	$6,600 00
	3	For salaries of county officers and assistants, a sum not exceeding nineteen thousand six hundred fifty dollars	19,650 00
	4	For clerical assistance in county offices, a sum not exceeding seven thousand dollars	7,000 00
	5	For salaries and expenses of district courts, a sum not exceeding sixteen thousand one hundred dollars	16,100 00
	6	For salaries of jailers, masters and assistants, and support of prisoners in jails and houses of correction, a sum not exceeding twenty-seven thousand five hundred dollars	27,500 00
	7	For criminal costs in the superior court, a sum not exceeding five thousand dollars	5,000 00
	8	For civil expenses in the supreme judicial, superior, probate, and land courts, a sum not exceeding fourteen thousand dollars	14,000 00
	10	For transportation expenses of county and associate commissioners, a sum not exceeding one thousand dollars	1,000 00
	11	For medical examiners, inquests, and commitments of the insane, a sum not exceeding two thousand dollars	2,000 00
	12	For auditors, masters and referees, a sum not exceeding two thousand dollars	2,000 00
	14	For repairing, furnishing and improving county buildings, a sum not exceeding four thousand dollars	4,000 00
	15	For care, fuel, lights and supplies in county buildings, other than jails and houses of correction, a sum not exceeding ten thousand dollars	10,000 00
	16	For highways, including state highways, bridges and land damages, a sum not exceeding ninety thousand dollars	90,000 00

Item			
16a	For examination of dams, a sum not exceeding one thousand five hundred dollars	$1,500 00	Appropriations, etc., and county tax, Franklin.
17	For law libraries, a sum not exceeding two thousand dollars	2,000 00	
19	For county aid to agriculture, a sum not exceeding twelve thousand eight hundred forty dollars	12,840 00	
20	For the sanatorium (Hampshire county), a sum not exceeding fifteen thousand four hundred twenty-five dollars and sixty-five cents	15,425 65	
20a	For Greenfield health camp (chapter 354, Acts of 1928), a sum not exceeding two thousand dollars	2,000 00	
21	For Mount Sugar Loaf state reservation, a sum not exceeding one thousand eight hundred dollars	1,800 00	
22	For pensions, a sum not exceeding eight hundred fifty dollars	850 00	
23	For miscellaneous and contingent expenses of the current year, a sum not exceeding two thousand dollars	2,000 00	
23a	For unpaid bills of previous years, a sum not exceeding five hundred dollars	500 00	
24	For a reserve fund, a sum not exceeding five thousand dollars	5,000 00	
	And the county commissioners of Franklin county are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, the sum of one hundred ninety-six thousand one hundred nine dollars and fourteen cents, to be expended, together with the cash balance on hand and the receipts from other sources, for the above purposes	$196,109 14	

Hampden County.

1	For interest on county debt, a sum not exceeding ninety-two thousand dollars	$92,000 00	Appropriations, etc., and county tax, Hampden.
2	For reduction of county debt, a sum not exceeding one hundred forty thousand four hundred one dollars and fifty cents	140,401 50	
3	For salaries of county officers and assistants, a sum not exceeding forty-eight thousand dollars	48,000 00	
4	For clerical assistance in county offices, a sum not exceeding fifty-five thousand dollars	55,000 00	
5	For salaries and expenses of district courts, a sum not exceeding one hundred thirteen thousand dollars	113,000 00	
6	For salaries of jailers, masters and assistants, and support of prisoners in jails and houses of correction, a sum not exceeding ninety-two thousand dollars	92,000 00	
7	For criminal costs in the superior court, a sum not exceeding thirty-three thousand dollars	33,000 00	
8	For civil expenses in the supreme judicial, superior, probate, and land courts, a sum not exceeding sixty-four thousand dollars	64,000 00	
9	For trial justices, a sum not exceeding two thousand five hundred dollars	2,500 00	
10	For transportation expenses of county and associate commissioners, a sum not exceeding one thousand five hundred dollars	1,500 00	
11	For medical examiners, inquests, and commitments of the insane, a sum not exceeding twelve thousand dollars	12,000 00	
12	For auditors, masters and referees, a sum not exceeding fourteen thousand dollars	14,000 00	

	Item		
Appropriations, etc., and county tax, Hampden.	14	For repairing, furnishing and improving county buildings, a sum not exceeding thirty-seven thousand dollars	$37,000 00
	15	For care, fuel, lights and supplies in county buildings, other than jails and houses of correction, a sum not exceeding sixty-one thousand five hundred dollars	61,500 00
	16	For highways, including state highways, bridges and land damages, a sum not exceeding three hundred seventy-three thousand dollars	373,000 00
	17	For law libraries, a sum not exceeding nine thousand five hundred dollars	9,500 00
	18	For training school, a sum not exceeding thirty-eight thousand nine hundred dollars	38,900 00
	18a	For training school, purchase of land, a sum not exceeding one thousand one hundred dollars	1,100 00
	19	For county aid to agriculture, a sum not exceeding forty thousand dollars	40,000 00
	20	For the sanatorium (Hampshire county), a sum not exceeding seventeen thousand dollars	17,000 00
	20a	For the preventorium, a sum not exceeding three thousand dollars	3,000 00
	21	For Mount Tom state reservation, a sum not exceeding twelve thousand dollars	12,000 00
	22	For pensions, a sum not exceeding five thousand five hundred dollars	5,500 00
	23	For miscellaneous and contingent expenses of the current year, a sum not exceeding five thousand four hundred seventy-nine dollars and twenty-eight cents	5,479 28
	23a	For unpaid bills of previous years, a sum not exceeding one thousand five hundred dollars	1,500 00
	24	For a reserve fund, a sum not exceeding ten thousand dollars	10,000 00
		And the county commissioners of Hampden county are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, the sum of one million one hundred ten thousand one hundred dollars, to be expended, together with the cash balance on hand and the receipts from other sources, for the above purposes	$1,110,100 00

Hampshire County.

Appropriations, etc., and county tax, Hampshire.	1	For interest on county debt, a sum not exceeding nine thousand dollars	$9,000 00
	2	For reduction of county debt, a sum not exceeding forty thousand dollars	40,000 00
	3	For salaries of county officers and assistants, a sum not exceeding nineteen thousand dollars	19,000 00
	4	For clerical assistance in county offices, a sum not exceeding ten thousand five hundred dollars	10,500 00
	5	For salaries and expenses of district courts, a sum not exceeding twenty-seven thousand dollars	27,000 00
	6	For salaries of jailers, masters and assistants, and support of prisoners in jails and houses of correction, a sum not exceeding twenty-six thousand dollars	26,000 00
	7	For criminal costs in the superior court, a sum not exceeding twenty-five thousand dollars	25,000 00
	8	For civil expenses in the supreme judicial, superior, probate, and land courts, a sum not exceeding thirteen thousand dollars	13,000 00

Item			
10	For transportation expenses of county and associate commissioners, a sum not exceeding one thousand dollars	$1,000 00	Appropriations, etc., and county tax, Hampshire.
11	For medical examiners, inquests, and commitments of the insane, a sum not exceeding three thousand five hundred dollars	3,500 00	
12	For auditors, masters and referees, a sum not exceeding two thousand five hundred dollars	2,500 00	
13	For building county buildings, a sum not exceeding twelve thousand dollars	12,000 00	
14	For repairing, furnishing and improving county buildings, a sum not exceeding twenty thousand dollars	20,000 00	
15	For care, fuel, lights and supplies in county buildings, other than jails and houses of correction, a sum not exceeding thirteen thousand dollars	13,000 00	
16	For highways, including state highways, bridges and land damages, a sum not exceeding one hundred twenty-five thousand dollars	125,000 00	
17	For law libraries, a sum not exceeding one thousand two hundred dollars	1,200 00	
19	For county aid to agriculture, a sum not exceeding fourteen thousand dollars	14,000 00	
20	For the sanatorium, a sum not exceeding thirteen thousand dollars	13,000 00	
20a	For the preventorium, a sum not exceeding one thousand five hundred dollars	1,500 00	
21	For Mount Tom state reservation, a sum not exceeding two thousand dollars	2,000 00	
22	For pensions, a sum not exceeding two thousand dollars	2,000 00	
23	For miscellaneous and contingent expenses of the current year, a sum not exceeding three thousand dollars	3,000 00	
24	For a reserve fund, a sum not exceeding ten thousand dollars	10,000 00	
	And the county commissioners of Hampshire county are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, the sum of two hundred ninety-three thousand four hundred forty-seven dollars and twenty cents, to be expended, together with the cash balance on hand and the receipts from other sources, for the above purposes	$293,447 20	

Middlesex County.

1	For interest on county debt, a sum not exceeding ninety thousand dollars	$90,000 00	Appropriations, etc., and county tax, Middlesex.
2	For reduction of county debt, a sum not exceeding two hundred eight thousand dollars	208,000 00	
3	For salaries of county officers and assistants, a sum not exceeding seventy-seven thousand dollars	77,000 00	
4	For clerical assistance in county offices, a sum not exceeding two hundred seventy-seven thousand dollars	277,000 00	
5	For salaries and expenses of district courts, a sum not exceeding three hundred thirty-five thousand dollars	335,000 00	
6	For salaries of jailers, masters and assistants, and support of prisoners in jails and houses of correction, a sum not exceeding two hundred sixty-two thousand dollars	262,000 00	
6a	For transfer of prisoners, a sum not exceeding one thousand dollars	1,000 00	

	Item		
Appropriations, etc., and county tax, Middlesex.	7	For criminal costs in the superior court, a sum not exceeding two hundred twenty-one thousand dollars	$221,000 00
	8	For civil expenses in the supreme judicial, superior, probate and land courts, a sum not exceeding one hundred ninety-one thousand dollars	191,000 00
	9	For trial justices, a sum not exceeding one thousand dollars	1,000 00
	10	For transportation expenses of county and associate commissioners, a sum not exceeding two thousand five hundred dollars	2,500 00
	11	For medical examiners, inquests, and commitments of the insane, a sum not exceeding thirty-one thousand dollars	31,000 00
	12	For auditors, masters and referees, a sum not exceeding twenty-five thousand dollars	25,000 00
	14	For repairing, furnishing and improving county buildings, a sum not exceeding ninety-five thousand dollars	95,000 00
	15	For care, fuel, lights and supplies in county buildings, other than jails and houses of correction, a sum not exceeding one hundred thirty-seven thousand five hundred dollars	137,500 00
	16	For highways, including state highways, bridges and land damages, a sum not exceeding five hundred thousand dollars	500,000 00
	17	For law libraries, a sum not exceeding eleven thousand dollars	11,000 00
	18	For training school, a sum not exceeding fifty-eight thousand dollars	58,000 00
	19	For county aid to agriculture, a sum not exceeding forty-five thousand dollars	45,000 00
	21	For Walden Pond state reservation, a sum not exceeding fourteen thousand dollars	14,000 00
	22	For pensions, a sum not exceeding thirty-five thousand dollars	35,000 00
	23	For miscellaneous and contingent expenses of the current year, a sum not exceeding five thousand dollars	5,000 00
	23a	For unpaid bills of previous years, a sum not exceeding five thousand dollars	5,000 00
	24	For a reserve fund, a sum not exceeding twenty thousand dollars	20,000 00
		And the county commissioners of Middlesex county are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, the sum of two million three hundred fifty-one thousand eight hundred eighty-four dollars and seventy cents, to be expended, together with the cash balance on hand, and the receipts from other sources, for the above purposes	$2,351,884 70
		Norfolk County.	
Appropriations, etc., and county tax, Norfolk.	1	For interest on county debt, a sum not exceeding ten thousand dollars	$10,000 00
	2	For reduction of county debt, a sum not exceeding eighteen thousand six hundred two dollars and ninety-four cents	18,602 94
	3	For salaries of county officers and assistants, a sum not exceeding thirty-five thousand dollars	35,000 00
	4	For clerical assistance in county offices, a sum not exceeding ninety thousand dollars	90,000 00
	5	For salaries and expenses of district and municipal courts, a sum not exceeding one hundred eleven thousand five hundred dollars	111,500 00

Item			
6	For salaries of jailers, masters and assistants, and support of prisoners in jails and houses of correction, a sum not exceeding fifty-five thousand dollars	$55,000 00	Appropriations, etc., and county tax, Norfolk.
7	For criminal costs in the superior court, a sum not exceeding sixty thousand dollars	60,000 00	
8	For civil expenses in the supreme judicial, superior, probate, and land courts, a sum not exceeding fifty-eight thousand dollars	58,000 00	
10	For transportation expenses of county and associate commissioners, a sum not exceeding one thousand five hundred dollars	1,500 00	
11	For medical examiners, inquests, and commitments of the insane, a sum not exceeding eleven thousand dollars	11,000 00	
12	For auditors, masters and referees, a sum not exceeding ten thousand dollars	10,000 00	
13	For building county buildings, a sum not exceeding ten thousand dollars	10,000 00	
14	For repairing, furnishing and improving county buildings, a sum not exceeding sixteen thousand dollars	16,000 00	
15	For care, fuel, lights and supplies in county buildings, other than jails and houses of correction, a sum not exceeding sixty-two thousand dollars	62,000 00	
16	For highways, including state highways, bridges and land damages, a sum not exceeding two hundred seventy-five thousand dollars	275,000 00	
17	For law libraries, a sum not exceeding two thousand dollars	2,000 00	
18	For training school, a sum not exceeding six thousand five hundred dollars	6,500 00	
19	For the agricultural school, a sum not exceeding seventy-three thousand dollars	73,000 00	
22	For pensions, a sum not exceeding seven thousand five hundred dollars	7,500 00	
23	For miscellaneous and contingent expenses of the current year, a sum not exceeding two thousand four hundred seventy-three dollars and fifty-eight cents	2,473 58	
23a	For unpaid bills of previous years, a sum not exceeding three thousand dollars	3,000 00	
24	For a reserve fund, a sum not exceeding seven thousand dollars	7,000 00	
	And the county commissioners of Norfolk county are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, the sum of seven hundred thirty-six thousand five hundred dollars, to be expended, together with the cash balance on hand and the receipts from other sources, for the above purposes	$736,500 00	

Plymouth County.

1	For interest on county debt, a sum not exceeding thirty-two thousand five hundred dollars	$32,500 00	Appropriations, etc., and county tax, Plymouth.
2	For reduction of county debt, a sum not exceeding fifty-five thousand three hundred seventy-one dollars and sixty-one cents	55,371 61	
3	For salaries of county officers and assistants, a sum not exceeding thirty-one thousand two hundred dollars	31,200 00	
4	For clerical assistance in county offices, a sum not exceeding twenty-one thousand five hundred dollars	21,500 00	

	Item		
Appropriations, etc., and county tax, Plymouth.	5	For salaries and expenses of district courts, a sum not exceeding sixty-four thousand dollars	$64,000 00
	6	For salaries of jailers, masters and assistants, and support of prisoners in jails and houses of correction, a sum not exceeding ninety-seven thousand dollars	97,000 00
	7	For criminal costs in the superior court, a sum not exceeding sixty thousand dollars	60,000 00
	8	For civil expenses in the supreme judicial, superior, probate, and land courts, a sum not exceeding thirty-five thousand dollars	35,000 00
	10	For transportation expenses of county and associate commissioners, a sum not exceeding two thousand two hundred dollars	2,200 00
	11	For medical examiners, inquests, and commitments of the insane, a sum not exceeding five thousand five hundred dollars	5,500 00
	12	For auditors, masters and referees, a sum not exceeding seven thousand dollars	7,000 00
	13	For building county buildings, a sum not exceeding six thousand dollars	6,000 00
	14	For repairing, furnishing and improving county buildings, a sum not exceeding eleven thousand six hundred ninety dollars	11,690 00
	15	For care, fuel, lights and supplies in county buildings, other than jails and houses of correction, a sum not exceeding thirty thousand three hundred dollars	30,300 00
	16	For highways, including state highways, bridges and land damages, a sum not exceeding one hundred eighty-two thousand dollars	182,000 00
	17	For law libraries, a sum not exceeding three thousand eight hundred dollars	3,800 00
	18	For training school, a sum not exceeding five thousand dollars	5,000 00
	19	For county aid to agriculture, a sum not exceeding ten thousand dollars	10,000 00
	22	For pensions, a sum not exceeding two hundred forty dollars	240 00
	23	For miscellaneous and contingent expenses of the current year, a sum not exceeding two thousand five hundred thirty-four dollars andfifty-four cents	2,534 54
	23a	For unpaid bills of previous years, a sum not exceeding two thousand seven hundred dollars	2,700 00
	24	For a reserve fund, a sum not exceeding ten thousand dollars	10,000 00
		And the county commissioners of Plymouth county are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, the sum of five hundred ninety-nine thousand one hundred ninety dollars, to be expended, together with the cash balance on hand and the receipts from other sources, for the above purposes	$599,190 00
		Worcester County.	
Appropriations, etc., and county tax, Worcester.	1	For interest on county debt, a sum not exceeding fifteen thousand five hundred dollars	$15,500 00
	3	For salaries of county officers and assistants, a sum not exceeding fifty-nine thousand five hundred dollars	59,500 00
	4	For clerical assistance in county offices, a sum not exceeding seventy-eight thousand eight hundred dollars	78,800 00

Item			
5	For salaries and expenses of district courts, a sum not exceeding one hundred fifty-seven thousand dollars	$157,000 00	Appropriations, etc., and county tax, Worcester.
6	For salaries of jailers, masters and assistants, and support of prisoners in jails and houses of correction, a sum not exceeding one hundred ninety thousand dollars	190,000 00	
7	For criminal costs in the superior court, a sum not exceeding seventy-five thousand dollars	75,000 00	
8	For civil expenses in the supreme judicial, superior, probate, and land courts, a sum not exceeding eighty thousand dollars	80,000 00	
9	For trial justices, a sum not exceeding two thousand dollars	2,000 00	
10	For transportation expenses of county and associate commissioners, a sum not exceeding three thousand eight hundred dollars	3,800 00	
11	For medical examiners, inquests, and commitments of the insane, a sum not exceeding eighteen thousand dollars	18,000 00	
12	For auditors, masters and referees, a sum not exceeding fifteen thousand dollars	15,000 00	
14	For repairing, furnishing and improving county buildings, a sum not exceeding twenty thousand dollars	20,000 00	
15	For care, fuel, lights and supplies in county buildings, other than jails and houses of correction, a sum not exceeding sixty thousand dollars	60,000 00	
16	For highways, including state highways, bridges and land damages, a sum not exceeding five hundred fifty-eight thousand four hundred dollars	558,400 00	
17	For law libraries, a sum not exceeding eight thousand eight hundred dollars	8,800 00	
18	For training school, a sum not exceeding twenty-three thousand dollars	23,000 00	
19	For county aid to agriculture, a sum not exceeding thirty-five thousand dollars	35,000 00	
20a	For the preventorium, a sum not exceeding three thousand dollars	3,000 00	
21	For state reservations, a sum not exceeding twenty-nine thousand five hundred dollars	29,500 00	
22	For pensions, a sum not exceeding fourteen thousand five hundred dollars	14,500 00	
23	For miscellaneous and contingent expenses of the current year, a sum not exceeding four thousand dollars	4,000 00	
23a	For unpaid bills of previous years, a sum not exceeding six thousand four hundred dollars	6,400 00	
24	For a reserve fund, a sum not exceeding ten thousand dollars	10,000 00	
	And the county commissioners of Worcester county are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, the sum of one million one hundred sixty-four thousand dollars, to be expended, together with the cash balance on hand and the receipts from other sources, for the above purposes	$1,164,000 00	

Approved, June 5, 1931.

*Chap.*397 AN ACT RELATIVE TO THE TAXATION OF ESTATES AND FIDUCIARIES IN CERTAIN INSTANCES.

Be it enacted, etc., as follows:

G. L. 62, § 9, etc., amended.

SECTION 1. Chapter sixty-two of the General Laws, as amended in section nine by section one of chapter two hundred and forty-two of the acts of nineteen hundred and twenty-five, is hereby further amended by striking out said section nine and inserting in place thereof the following: —

Taxation of estates of deceased persons in respect to income.

Section 9. The estates of deceased persons who last dwelt in the commonwealth shall be subject to the taxes imposed by this chapter upon all income received by such persons during their lifetime, if assessed within the time limited by section thirty-seven.

Same subject.

The income received by the estates of such deceased persons shall be subject to all the taxes imposed by this chapter to the extent that the persons to whom such income is payable, or for whose benefit it is accumulated are inhabitants of the commonwealth; and such income shall include as and when received by the executor or administrator all income taxable under section one of this chapter which would have been taxable to the decedent if he had survived to receive it, and the taxes upon such income as shall have become a part of the corpus of his estate under the rules of probate accounting, may be charged against principal in any accounting made by

How assessed.

the executor or administrator. All taxes under this section shall be assessed to the executor or administrator and before the appointment of an executor or administrator said taxes may be assessed in general terms to the estate of the deceased and the executor or administrator subsequently appointed shall be liable for the taxes so assessed as though they were assessed to him. No person shall be taxed under this chapter for income received from any executor or administrator which income has itself been taxed under this section.

Applicability of act.

SECTION 2. This act shall apply to income received in the calendar year nineteen hundred and thirty and thereafter.

Approved June 8, 1931.

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*Chap.*398 AN ACT IMPOSING AN OLD AGE ASSISTANCE TAX ON MALE INHABITANTS OF THE COMMONWEALTH ABOVE THE AGE OF TWENTY TO PROVIDE REVENUE FOR CARRYING OUT THE TERMS OF THE LAW PROVIDING ADEQUATE ASSISTANCE TO CERTAIN AGED PERSONS.

Emergency preamble.

Whereas, The deferred operation of this act would tend to defeat its purpose, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

Temporary old age assistance tax on male inhabitants of state above the age of twenty.

SECTION 1. In each of the years nineteen hundred and thirty-one and nineteen hundred and thirty-two, an old age assistance tax of one dollar shall be assessed on every male

inhabitant of the commonwealth above the age of twenty, whether a citizen of the United States or an alien. A statement of the purpose of such tax shall appear on the face of the tax bill. Nothing herein contained shall be construed to affect the poll tax authorized to be assessed by the assessors of the Shelburne Falls Fire District pursuant to the provisions of chapter two hundred and sixty-two of the acts of eighteen hundred and fifty-five, and acts in amendment thereof or in addition thereto.

Poll taxes assessed by Shelburne Falls Fire District not affected.

Section 2. In each of said years, the assessors shall, within a reasonable time after the preparation by them of the lists of persons as provided in section four of chapter fifty-one of the General Laws, assess the old age assistance taxes of all male persons whose names are contained in said lists and deliver to the collector of taxes tax lists containing the names and addresses of all persons so assessed and the amount of the respective taxes thereon. The assessors shall also deliver to the collector their warrants in the customary form for the collection forthwith of all old age assistance taxes contained in said lists; but no such list or warrant shall be issued to any collector until, conformably to law, he has given bond and has otherwise qualified himself for the performance of his duties. Old age assistance taxes so committed to the collector shall be subject to the laws relating to poll taxes committed by warrant under section fifty-three of chapter fifty-nine of the General Laws. Old age assistance taxes assessed hereunder may be assessed separately as of April first and billed separately, or may be assessed and billed by inclusion with poll taxes assessed under section four of chapter sixty of the General Laws.

Assessment of taxes and delivery to collector of taxes of tax lists.

Warrants.

Bond.

Old age assistance taxes subject to certain laws, etc.

Section 3. A collector of taxes receiving from the assessors lists and warrants under the preceding section shall forthwith proceed to collect the old age assistance taxes from the persons entered on such lists. Except as otherwise provided, all laws relating to the collection of taxes, to the duties and powers of collectors, to money collected as taxes, interest, charges and fees, to the accounting for and turning over of money so collected, and to the crediting thereof to the collector, shall apply to the collection of old age assistance taxes from the persons whose names appear on such lists.

Collection of taxes.

Certain laws applicable, etc.

Section 4. Assessors shall, in each of said years, on or before July first certify to the commissioner of corporations and taxation, hereinafter called the commissioner, in such form and detail as he may require, the total number of old age assistance taxes assessed by them under section two of this act and committed for collection in the then current year, and the commissioner thereupon, but not later than August first, shall assess and levy upon each city and town a special state tax on account of the inhabitants therein taxable under section one of this act, at the rate of one dollar for each inhabitant so taxable. Such special state tax shall be computed upon the information at the time of assessment in his possession, and, in lieu of better information, may be assessed

Assessors to certify to commissioner of corporations and taxation total number of taxes assessed.

Commissioner to levy special tax upon cities and towns, etc.

upon information as to inhabitants taxable under said section one, as shown in returns and tables filed in the preceding year by the assessors with the commissioner, or upon such other information as he may have, and he may allow for such annual increase in the number of old age assistance taxes as he may determine to be proper.

Commissioner to certify to state treasurer special tax levied upon cities and towns, etc.

SECTION 5. The commissioner shall, in each of said years, on or before October fifth certify and commit to the state treasurer the taxes assessed under the preceding section and the taxes so certified and committed shall thereupon be due and payable by each city and town and the treasurer thereof, and the state treasurer shall have the same remedies and powers with respect to the collection of the special state tax assessed as aforesaid as he has with respect to the collection of the annual state tax.

Additional taxes to be levied upon cities and towns.

SECTION 6. The commissioner shall, in each of said years, from time to time assess and levy upon each city and town, and certify and commit to the state treasurer, additional taxes with respect to inhabitants taxable under section one and not included in the assessment made under section four, and taxes so assessed shall be payable and may be enforced in the same manner as those originally assessed.

Determination of amount of uncollectible taxes.

SECTION 7. The assessors may, in each of said years, from time to time certify under oath to the commissioner, in such form and detail as he may require, the list of old age assistance taxes which the collector of their city or town has not been able to collect by reason of the poverty, death or other inability of the persons assessed to pay, and the commissioner shall determine the amount of such uncollected taxes which, in his opinion, are uncollectible. The state treasurer shall pay or credit to a city or town, on account of such uncollected old age assistance taxes assessed therein, such amounts as the commissioner may from time to time certify as uncollectible.

Payment or credit to city or town.

Proceeds of tax to be credited to fund to be known as Old Age Assistance Fund, etc.

SECTION 8. The proceeds of the old age assistance tax imposed by section one of this act, shall be credited on the books of the commonwealth to a fund to be known as the Old Age Assistance Fund. Said fund shall be used to reimburse cities and towns for assistance given by them to aged citizens under the provisions of chapter one hundred and eighteen A of the General Laws, inserted therein by section one of chapter four hundred and two of the acts of nineteen hundred and thirty, in the manner provided by section three of said chapter one hundred and eighteen A, except that cities and towns shall be reimbursed in all cases for the total amount of such assistance given by them and the provisions of the last sentence of said section three shall not apply.

Commissioner to consider ways and means for permanently raising revenue required, etc.

SECTION 9. The commissioner is hereby directed to consider ways and means for permanently raising the revenue required by the commonwealth and by the cities and towns thereof to provide for financing the old age assistance act, so called, giving special consideration to various forms of sales taxes, amusement taxes, luxury taxes, increases in

income and inheritance taxes and any other form of additional taxation by which such revenue may be provided, and shall report to the general court his findings and recommendations, together with drafts of legislation necessary for carrying said recommendations into effect, by filing the same with the clerk of the house of representatives not later than the first Wednesday in December of the year nineteen hundred and thirty-two.

Report to general court.

Section 10. Sections one to seven, inclusive, of this act shall take effect as of April first in the current year, and section eight shall take effect July first in the current year.

Sections 1 to 7, inclusive, effective date.

Section 8, effective date.

Approved June 9, 1931.

An Act relative to sight-seeing automobiles carrying persons in or from the city of Boston. *Chap.* 399

Be it enacted, etc., as follows:

Section 1. The term "sight-seeing automobile", as used in this act, shall mean an automobile, as defined in section one of chapter ninety of the General Laws, used for the carrying for a consideration of persons for sight-seeing purposes in or from the city of Boston and in or on which automobile guide service by the driver or other person is offered or furnished.

Term "sight-seeing automobile" defined.

Section 2. It shall be unlawful for a person or a corporation to offer or furnish service by a sight-seeing automobile in or from the city of Boston unless said automobile is licensed hereunder and unless a certificate of public convenience and necessity is obtained as hereinafter provided, and it shall be unlawful for a person to operate such an automobile as driver in or from said city unless he is licensed so to do as hereinafter provided.

Operation of sight-seeing automobiles regulated.

Section 3. The police commissioner for the city of Boston shall have exclusive authority to license in said city sight-seeing automobiles and the persons operating them as drivers, and to designate places in the public streets which may be occupied as stands for sight-seeing automobiles of specified licensees on the days and within the hours authorized by him and subject to all reasonable rules relative to such stands which the said commissioner, who is hereby authorized thereto, shall from time to time establish. Such licenses shall be granted for a term not exceeding one year, but whenever granted they shall expire annually on the first day of March; and they may at any time be revoked or suspended for cause by said commissioner. At any time within a year after the expiration of a license for a sight-seeing automobile, said commissioner shall, upon payment to him of the fee required hereby, issue to the holder of such license a new license for said automobile or for one to be used in replacement thereof unless such expired license was suspended or revoked for cause; and at any time within a year after the expiration of a license for such a driver the

Police commissioner for the city of Boston authorized to grant licenses, etc.

Term of licenses.

Expiration.

Issue of new license, etc.

Fees.

commissioner may renew the same. The fees for operators' licenses issued hereunder shall be the same as those established from time to time for licenses granted to drivers of hackney carriages. The fees for licenses of owners of sight-seeing automobiles shall be not less than those established from time to time for licenses granted to the owners of hackney carriages; provided that said fees shall not exceed the following sums: For a sight-seeing automobile designed to carry not more than twelve persons, ten dollars; for a sight-seeing automobile designed to carry more than twelve but not more than eighteen persons, fifteen dollars; for a sight-seeing automobile designed to carry more than eighteen but not more than twenty-four persons, twenty-five dollars; and for a sight-seeing automobile designed to carry more than twenty-four persons, fifty dollars. Nothing herein contained shall be deemed to be contrary to the provisions of chapter ninety of the General Laws and acts supplementary thereto or in amendment thereof.

Proviso.

To be subject to certain rules, etc.

SECTION 4. In their use of public streets in the city of Boston, otherwise than for designated stands, sight-seeing automobiles and persons operating them as drivers shall be subject to all rules applicable to motor vehicles in general which, in accordance with law, have been made or shall hereafter be made by the board of street commissioners of the city of Boston, by the Boston traffic commission and by the board of park commissioners of said city, and to all rules further restricting the use of said public streets by sight-seeing automobiles or regulating their general conduct and operation which the said police commissioner, who is hereby authorized thereto, shall from time to time establish.

Certificate of public convenience and necessity, etc.

SECTION 5. No person or corporation shall offer or furnish service by sight-seeing automobiles in or from the city of Boston unless said person or corporation has first obtained from the department of public utilities a certificate declaring that public convenience and necessity require such operation. Said department may, after public hearing, issue or refuse to issue such a certificate and may attach to the exercise of the privilege conferred by said certificate such terms and conditions as to operation and fares as the said department may deem that public convenience and necessity require. Said department may, after notice and hearing, suspend or revoke any such certificate for cause or alter or amend any terms or conditions attached to the exercise of the privilege conferred thereby. Said department may make suitable and reasonable rules, orders and regulations governing the operation and fares of sight-seeing automobiles carrying persons in or from the city of Boston, and may revise, alter, amend and annul the same; provided, that such rules, orders and regulations shall not be inconsistent with those lawfully established by the board of street commissioners of the city of Boston, by the Boston traffic commission, by the board of park commissioners of said city, or by said police commissioner.

Public hearing.

Terms and conditions.

Suspension or revocation.

Rules, orders and regulations.

Proviso.

Section 6. Whoever offers or furnishes service by sight-seeing automobiles in or from the city of Boston without obtaining a license and a certificate of public convenience and necessity, as herein provided, or after the expiration or revocation or during any suspension of such a license or certificate, or whoever while holding such a license and certificate offers or furnishes service by sight-seeing automobiles in violation of any rule, order or regulation made by said commissioner or the department of public utilities under the authority of this act, or in violation of any term or condition attached to the exercise of the privilege conferred by such certificate, shall be punished by a fine of not more than fifty dollars or by imprisonment in the house of correction for not more than one month, or both; and the supreme judicial and superior courts shall have jurisdiction in equity to restrain any such violation, upon petition of said commissioner, the department of public utilities or any interested party. Any person operating any sight-seeing automobile as a driver without the license required by section two, or in violation of any rule, order or regulation made by said commissioner or said department, shall be punished by a fine of not more than twenty-five dollars. Penalties.

Section 7. All holders of licenses under chapter five hundred and ninety-two of the acts of nineteen hundred and thirteen authorizing the setting up of sight-seeing automobiles for the year ending February twenty-eighth, nineteen hundred and thirty-one, which were in effect on said February twenty-eighth shall be entitled to renew the same under said chapter five hundred and ninety-two, and all such holders who have renewed or shall renew their said licenses as aforesaid shall be entitled to offer or furnish service by sight-seeing automobiles until and including February twenty-ninth, nineteen hundred and thirty-two, if and so long as such holders comply with the provisions of said chapter five hundred and ninety-two as heretofore in effect, and each such holder so renewing shall be considered by the department of public utilities, acting under the provisions of this act, as prima facie entitled to a certificate of public convenience and necessity if application therefor is made prior to March first, nineteen hundred and thirty-two. Certain holders of licenses entitled to renew same, etc.

Section 8. Chapter five hundred and ninety-two of the acts of nineteen hundred and thirteen is hereby repealed; provided, that so much thereof as may be necessary for the purposes of section seven shall remain in effect until such purposes are accomplished. 1913, 592, repealed. Proviso.

Section 9. This act shall take effect upon its passage.

Approved June 9, 1931.

Chap. 400 An Act ratifying and confirming orders of the department of public works taking certain parcels of land in the town of Chester belonging to the Boston and Albany Railroad Company and to the Chester and Becket Railroad Company, and authorizing said department to grant slope easements to the Boston and Albany Railroad Company within the location of the state highway in said town of Chester.

Be it enacted, etc., as follows:

Certain orders of the department of public works taking certain parcels of land in the town of Chester belonging to the Boston and Albany Railroad Company and to The Chester and Becket Railroad Company, ratified and confirmed.

Section 1. So much of the order of the department of public works, dated December twenty-fourth, nineteen hundred and twenty-nine, laying out a state highway in the town of Chester, as purports to take a parcel of land numbered thirteen on a plan entitled, "The Commonwealth of Massachusetts Plan of Road in the Town of Chester Hampden County Altered and Laid Out as a State Highway by the Department of Public Works November 26, 1929" and signed by A. W. Dean, chief engineer, supposed to belong to The Chester and Becket Railroad Company, and more particularly bounded and described as follows: *Parcel No. 13.* A parcel of land on the easterly side of Becket road, so called, between stations 37+21.45 and 40+16±, bounded as follows: Easterly and southerly by the easterly location line of the nineteen hundred and twenty-nine state highway alteration for about two hundred and ten feet; westerly by the easterly location of the nineteen hundred and one state highway layout for about three hundred and five feet; northeasterly by the southwesterly boundary of land of Jackson Mills Emery Company, Inc., for about one hundred and thirty-six feet; containing about fifty-nine hundred square feet; and so much of another order of the department of public works, dated December twenty-fourth, nineteen hundred and twenty-nine, as purports to take a parcel of land numbered forty-seven on a plan entitled, "The Commonwealth of Massachusetts Plan of Road in the Town of Chester Hampden County Laid Out as a State Highway by the Department of Public Works November 26, 1929" and signed by A. W. Dean, chief engineer, supposed to belong to the Boston and Albany Railroad Company, and more particularly bounded and described as follows: *Parcel No. 47.* A parcel of land on the northeasterly side of the nineteen hundred and twenty-nine state highway layout between station 111+32.74 and 116+52±, bounded as follows: Northeasterly by the northeasterly location line of said nineteen hundred and twenty-nine layout for about five hundred and thirty-three feet; southwesterly by the northeasterly boundary of land of Hattie Cooper and Cortland Grinding Wheels Corporation for about five hundred and forty feet; containing about nineteen thousand four hundred and fifty square feet of land, and also the

construction of said state highway across the railroad location of The Chester and Becket Railroad Company by means of an overhead bridge forty-four and five tenths feet in width and its approaches, including such other structures as were erected within said location by said department in the construction of said state highway, are hereby validated, ratified and confirmed, in so far as either one of such takings or such construction may be invalid by reason of want of authority of said department, and all rights of the owners or the lessee or lessees of said owners with reference to claims for damages on account of said takings or construction are hereby declared not to be affected by want of authority of said department as aforesaid, and the time within which said owners or lessee or lessees may petition the superior court for assessment of damages on account of the taking of said parcels or the construction aforesaid is hereby extended for one year from the effective date of this act.

Department of public works may grant certain slope easements to the Boston and Albany Railroad Company, etc.

Section 2. The department of public works is hereby authorized to grant to the Boston and Albany Railroad Company, under such terms and conditions as said department may impose, easements in parcel numbered forty-seven, described in section one, consisting of the right to have the land and the location of said railroad protected by the construction and maintenance of an embankment or slope within said parcel, in a manner to be determined by the said department.

Section 3. This act shall take effect upon its passage.

Approved June 9, 1931.

Chap. 401

An Act relative to the appropriation and expenditure of local funds for the observance of the bicentenary of the settlement of the town of Dudley and the centennial of the incorporation of the town of Webster.

Be it enacted, etc., as follows:

Appropriation and expenditure of local funds for the observance of the bicentenary of the settlement of the town of Dudley and the centennial of the incorporation of the town of Webster.

Section 1. The towns of Dudley and Webster, respectively, may make appropriations in nineteen hundred and thirty-one and nineteen hundred and thirty-two for the observance and celebration in nineteen hundred and thirty-two of the two hundredth anniversary of the settlement of Dudley and the one hundredth anniversary of the incorporation of Webster. Said towns may, if and as authorized by vote in town meeting, expend money so appropriated for the purpose of jointly observing and celebrating said anniversaries.

Section 2. This act shall take effect upon its passage.

Approved June 9, 1931.

Chap. 402 AN ACT DESCRIBING A PORTION OF THE BOUNDARY LINE BETWEEN THE TOWNS OF NEWBURY AND ROWLEY.

Be it enacted, etc., as follows:

Description of a portion of the boundary line between the towns of Newbury and Rowley.

SECTION 1. The following described line shall hereafter constitute a portion of the boundary line between the towns of Newbury and Rowley: — Beginning at Newbury-Rowley No. 1, an unmarked point situated at low water line on the easterly shore of Plum island; thence south seventy-three degrees fifty-one minutes twelve seconds west about sixteen hundred feet to the witness mark, consisting of a rough granite monument marked NR situated on the westerly side of the driveway running along Plum island at a point about a mile north of the United States coast guard station; thence in the same direction one thousand fifty-six feet to a witness mark consisting of a rough granite monument marked NR situated about one third of a mile easterly from the western shore of Plum island; thence in the same direction about one thousand five hundred sixty-seven feet to an iron pipe on the westerly shore of Plum island; thence south eighty-two degrees twenty-one minutes west three thousand one hundred seventy-six feet, more or less, to a corner, an unmarked point in the middle of the mouth of Great or Muddy creek, north eighty-two degrees twenty-one minutes east and seven hundred feet distant from a granite monument to be set as a witness mark in the marsh southerly of Great creek; thence westerly along the middle of Great creek about fourteen thousand feet to Old Corner Three, a granite monument marked NR situated in the middle of the creek at the western end of the bridge in the street known as High street in said Newbury and Main street in said Rowley, in latitude forty-two degrees, forty-five minutes seventy-one hundredths seconds and longitude seventy degrees fifty-one minutes twenty-one and twenty-six hundredths seconds, said monument being referred to in chapter two hundred and nineteen of the acts of nineteen hundred and five.

SECTION 2. This act shall take effect upon its passage.

Approved June 9, 1931.

Chap. 403 AN ACT AUTHORIZING THE CITY OF FALL RIVER TO EXPEND FOR GENERAL MUNICIPAL PURPOSES DURING THE EXISTENCE OF THE FALL RIVER BOARD OF FINANCE, CERTAIN SURPLUS FUNDS RECEIVED FROM THE COLLECTION OF WATER RATES AND CHARGES.

Be it enacted, etc., as follows:

City of Fall River may expend for general municipal purposes during the existence of the Fall River Board of Finance, certain surplus funds received from

SECTION 1. During the period of the existence of the Fall River Board of Finance established by chapter forty-four of the acts of nineteen hundred and thirty-one, all money received by the city collector of the city of Fall River for water rates and charges shall be paid by him to the city treasurer and so much thereof as may be required shall be appropriated by the city council of said city for the

following purposes: — For necessary expenses of maintenance, operation, repairs, extension and improvements of the water works system of the city; for payments of interest on water loans; for payments on account of sinking funds of water loans and payments of principal on said loans; and for the payment of costs and expenses incurred under chapter one hundred and fourteen of the acts of eighteen hundred and ninety-one and acts in addition thereto and in amendment thereof. The balance, if any, after the payments for the aforesaid purposes may, during the period aforesaid, be appropriated for such other municipal purposes as the city council may from time to time determine, subject to the provisions of general law so far as applicable.

the collection of water rates and charges.

Section 2. During the period aforesaid, all expenditures and appropriations mentioned in the foregoing section shall be subject to the provisions of said chapter forty-four.

Expenditures to be subject to certain provisions.

Section 3. For and during the period of the existence of said Fall River Board of Finance, the operation of the provisions of any law inconsistent herewith shall be suspended; but said provisions shall again become operative upon the termination of the existence of said board as provided in section sixteen of said chapter forty-four.

During the existence of the Fall River Board of Finance inconsistent provisions of law to be suspended, etc.

Section 4. This act shall take effect upon its passage.

Approved June 9, 1931.

An Act establishing the administrative committee of the probate courts and defining its powers and duties. *Chap.* 404

Be it enacted, etc., as follows:

Section 1. Chapter two hundred and fifteen of the General Laws is hereby amended by inserting after section thirty the following new section: — *Section 30A*. There shall be an administrative committee of the probate courts, hereinafter called the committee, which shall consist of three judges thereof, assigned to service thereon by the chief justice of the supreme judicial court for such period of time as he may deem advisable. The committee shall be authorized to visit any probate court, as a committee or by sub-committee, to recommend uniform practice and procedure, and shall have general advisory powers in relation to such courts. To promote co-ordination in the work of such courts, the committee may from time to time call conferences of any or all of the judges thereof or of other officials connected therewith, and the traveling expenses of such judges or officials for attending such conferences, and also the necessary expenses of the members of the committee incurred in the performance of their duties as aforesaid, shall, subject to the approval of the governor and council, be paid from the state treasury.

G. L. 215, new section after § 30.

Administrative committee of the probate courts, establishment.

Powers and duties.

Section 2. This act shall take effect upon its passage.

Approved June 9, 1931.

Chap. 405 AN ACT RELATIVE TO THE ASSESSMENT OF INHERITANCE TAXES WITH RESPECT TO ADDITIONAL ASSETS AND OTHERWISE AND TO THE GRANTING OF REFUNDS OF SUCH TAXES.

Be it enacted, etc., as follows:

G. L. 65, § 6, amended.

SECTION 1. Section six of chapter sixty-five of the General Laws is hereby amended by striking out, in the third line, the word "and", — and by inserting after the word "survivorship" in the third and fourth lines the words: — and beneficiaries receiving additional property as provided in section twenty-seven, — so as to read as follows: —

Taxation of legacies and successions.

Persons who shall pay the tax.

Section 6. Administrators, executors and trustees, grantees or donees under conveyances or gifts made during the life of the grantor or donor, persons to whom beneficial interests shall accrue by survivorship and beneficiaries receiving additional property as provided in section twenty-seven, shall be liable for the taxes imposed by this chapter, with interest, until the same have been paid.

G. L. 65, § 27, etc., amended.

SECTION 2. Said chapter sixty-five, as amended in section twenty-seven by section eighteen of chapter five hundred and twenty of the acts of nineteen hundred and twenty-two, is hereby further amended by striking out said section twenty-seven and inserting in place thereof the following: —

Commissioner of corporations and taxation to certify amount of tax, etc.

Section 27. The commissioner shall determine the amount of tax due and payable upon any estate or part thereof and shall certify the amount so due and payable to the persons by whom the tax is payable. Such determination and certification may be made upon account of the tax payable upon the estate generally or upon account or in full for any

Discharge of tax, etc.

part thereof or any interest therein. Payment of the amount so certified upon account shall be a discharge of the tax pro tanto and upon subsequent determination and certification of the full amount of the tax payable upon the estate generally or upon any interest therein or part thereof, payment of the full amount of said tax shall, except as hereinafter provided, be a discharge of the tax, and if upon such final certification it shall appear that any payments made on account are in excess of the tax in full as so determined, the commissioner shall, upon application duly made within six months from the date when the final certificate shall have been issued, issue a certificate that the applicant is entitled to have such excess refunded and the state treasurer shall without any appropriation therefor by the general court pay the amount so certified. In determining the amount of any tax under this chapter, the commissioner shall not be required to consider any payments on account of debts or expenses of administration which have not been allowed by

Executor, etc., to notify commissioner of additional assets.

the probate court having jurisdiction of said estate. If after determination and certification of the full amount of the tax upon an estate or any interest therein or part thereof the estate shall receive or become entitled to property in addition to that shown in the inventory or disclosed to the

commissioner at or before the time of the certification of the tax in full, the executor, administrator, trustee or other fiduciary shall forthwith notify the commissioner who shall upon being thus or otherwise informed determine the amount of additional tax, if any, due and payable thereon and shall certify the said amount to the person by whom such tax is payable, which amount shall be due and payable thirty days from the date of the certification; provided, that a fiduciary shall be personally liable to pay only so much of said additional tax as is computed on the additional property actually received by him and that a beneficiary receiving any part of such additional property shall be liable to pay so much of the tax thereon as is not chargeable as aforesaid to a fiduciary.

Commissioner to certify amount of additional tax.

Proviso.

An executor, administrator, trustee, grantee, donee, survivor or beneficiary aggrieved by any determination of the commissioner may, within one year after the payment of any such tax, apply by a petition in equity to the probate court having jurisdiction of the estate of the decedent for the abatement of the tax or any part thereof, and if the court adjudges that the tax or any part thereof was wrongly exacted it shall order an abatement of such part thereof as was assessed without authority of law. Upon a final decision ordering an abatement of any part of such a tax, the treasurer shall pay the amount adjudged to have been illegally exacted, with interest, without any further appropriation therefor by the general court.

Abatement by probate court.

Section 3. This act shall take effect as of January first of the current year. *Approved June 9, 1931.*

Effective date.

An Act authorizing the metropolitan district commission to construct a rest room and comfort station in the blue hills reservation in the city of quincy. *Chap.* 406

Be it enacted, etc., as follows:

After an appropriation has been made, the metropolitan district commission is hereby authorized and directed to construct a rest room and comfort station adjacent to the skating pond in the Blue Hills reservation near Willard street in the city of Quincy, and for said purpose may expend a sum not exceeding five thousand dollars, which shall be included in the amounts to be assessed upon the metropolitan parks district for maintenance of reservations.

Metropolitan district commission may construct a rest room and comfort station in the Blue Hills reservation in the city of Quincy.

Approved June 9, 1931.

An Act providing for the construction of a sea wall and the placing of riprap for the protection of the shore in the town of marshfield. *Chap.* 407

Be it enacted, etc., as follows:

Section 1. Subject to the conditions herein imposed, the department of public works is hereby authorized and

Department of public works may construct a sea wall and

place riprap for the purpose of protecting the shore in the town of Marshfield.

directed to construct a sea wall and place riprap for the purpose of protecting the shore in the town of Marshfield from erosion by the sea. No work shall be begun until the town of Marshfield has assumed liability, in the manner provided by section twenty-nine of chapter ninety-one of the General Laws, for all damages that may be incurred hereunder, nor until there has been paid into the treasury of the commonwealth by the county of Plymouth the sum of thirty-three thousand three hundred and thirty-four dollars, and by said town of Marshfield the sum of sixty-six thousand six hundred and sixty-six dollars, which together with such sum, not exceeding one hundred thousand dollars, as may hereafter be appropriated by the commonwealth, shall constitute a fund for the improvements herein authorized; provided, that the total cost of such improvements shall not exceed two hundred thousand dollars; and provided, further, that if any of the aforesaid sum remains after the completion of such improvements one sixth of such remainder shall be repaid to said county and one third of such remainder shall be repaid to said town.

No work until, etc.

Provisos.

County treasurer may borrow money, issue bonds, etc.

SECTION 2. For the purpose of meeting the payments required to be made by the county of Plymouth under this act, the treasurer of said county, with the approval of the county commissioners, may borrow from time to time, on the credit of the county, such sums as may be necessary, not exceeding, in the aggregate, thirty-four thousand dollars, and may issue bonds or notes of the county therefor, which shall bear on their face the words, Plymouth County-Marshfield Sea Wall Loan, Act of 1931. Each authorized issue shall constitute a separate loan, and such loans shall be payable in not more than ten years from their dates. Such bonds or notes shall be signed by the treasurer of the county and countersigned by a majority of the county commissioners. The county may sell the said securities at public or private sale upon such terms and conditions as the county commissioners may deem proper, but not for less than their par value. Indebtedness incurred under this act shall, except as herein provided, be subject to chapter thirty-five of the General Laws.

Plymouth County-Marshfield Sea Wall Loan, Act of 1931.

May issue temporary notes of county, etc.

SECTION 3. The county treasurer, with the approval of the commissioners, may issue temporary notes of the county, payable in not more than one year from their dates, in anticipation of the issue of serial bonds or notes under the preceding section, but the time within which such serial bonds or notes shall become due and payable shall not, by reason of such temporary notes, be extended beyond the time fixed by said section. Any notes issued in anticipation of the serial bonds or notes shall be paid from the proceeds thereof.

Town of Marshfield may borrow money, issue notes, etc.

SECTION 4. For the purpose of meeting the payments required to be made by the town of Marshfield under this act, said town may borrow from time to time such sums as may be necessary, not exceeding, in the aggregate, sixty-

seven thousand dollars, and may issue notes therefor, which shall bear on their face the words, Town of Marshfield, Sea Wall Loan, Act of 1931. Each authorized issue shall constitute a separate loan, and such loans shall be paid within ten years from their dates. Indebtedness incurred by said town under this act shall be in excess of the statutory limit, but shall, except as herein provided, be subject to chapter forty-four of the General Laws.

Town of Marshfield, Sea Wall Loan, Act of 1931.

Section 5. Betterments may be assessed by said town of Marshfield, under chapter eighty of the General Laws, upon estates specially benefited by the improvements hereinbefore authorized; provided, that the total amount of such assessments shall not exceed one half the amount of the payments required to be made by said town under this act; and the proceeds of such assessments shall be used to pay indebtedness incurred by said town under the preceding section.

Assessments of betterments.

Proviso.

Section 6. This act shall take full effect upon its acceptance during the current year by vote of the county commissioners of Plymouth county and by vote of the town of Marshfield in town meeting and the filing in the office of the said department of certified copies of said votes. So much thereof as provides for acceptance as aforesaid shall take effect upon its passage. *Approved June 9, 1931.*

Submission to Plymouth county commissioners and to voters of town of Marshfield, etc.

An Act to revise and codify the laws relating to the transportation of passengers for hire by motor vehicles. *Chap.* 408

Be it enacted, etc., as follows:

Section 1. The General Laws are hereby amended by inserting after chapter one hundred and fifty-nine, under the title "Common Carriers of Passengers by Motor Vehicle", the following new chapter: —

General Laws, new chapter after chapter 159.

Chapter 159A.

Common Carriers of Passengers by Motor Vehicle.

Section 1. No person shall, except as otherwise provided in this chapter, operate any motor vehicle upon any public way in any city or town for the carriage of passengers for hire, in such a manner as to afford a means of transportation similar to that afforded by a railway company, by indiscriminately receiving and discharging passengers along the route on which the vehicle is operated or may be running, or for transporting passengers for hire as a business between fixed and regular termini, without first obtaining a license for such operation from the city council of such city or the selectmen of such town, in this chapter called the licensing authority; provided, that, in respect to any boulevard or way under the jurisdiction of the metropolitan district commission, such commission shall constitute the

Motor vehicles not to be operated upon public ways for carriage of passengers for hire without a license, etc.

Proviso.

Approval of mayor.

Fee.

Licensees to be subject to orders, rules, etc.

No license for carriage of passengers exclusively interstate.

License to specify routes, etc.

Proviso.

Licenses by department of public utilities in case applications for licenses are not favorably acted upon in certain municipalities.

Public hearing before issuing such a license.

To specify routes, etc.

Such licenses to be limited to through traffic, etc.

Licenses to remain in force until revoked, etc.

licensing authority. Any such license issued by a city council under this section shall be subject to the approval of the mayor. The fee for any such license shall not exceed ten dollars. Such license may limit the number of vehicles to be operated thereunder. Any person, receiving a license under this section and operating a vehicle or vehicles thereunder, shall, in respect to such operation, be subject to such orders, rules or regulations as shall be adopted by the licensing authority under this chapter. No license, certificate or permit shall be required under this chapter in respect to such carriage of passengers as is exclusively interstate.

Section 2. Every such license shall specify the route or routes over which the motor vehicles used thereunder may be operated. A licensee shall not operate motor vehicles for the purposes specified in the preceding section otherwise than upon routes specified in the license or licenses issued to him, provided that in the event of the closing of the whole or a portion of such a route by public authority or of interference with operation thereon by street repairs, fire, accident, unusual and severe traffic congestion or other emergency, a licensee may temporarily operate such vehicles by a reasonably direct and convenient detour.

Section 3. If a person desiring to operate any motor vehicle for the purposes and in the manner aforesaid over a route covering at least twenty miles holds a license therefor in the terminal municipalities and also a license in all but one of the intervening municipalities, or, in case seven or more municipalities intervene, in all but one or two thereof, the department of public utilities, hereinafter in this chapter called the department, on petition of such person, shall act as the licensing authority in the one or two municipalities, as the case may be, in which such person's application for such an original license has not been favorably acted upon within three months after the filing thereof. The department, before issuing such a license, shall give a public hearing thereon after notice to the licensing authority of such a municipality, and if the department finds that public convenience and necessity require that the applicant be allowed to operate motor vehicles through such a municipality and over a route as aforesaid, it may issue a license therefor and shall specify therein the route or routes over which such motor vehicles shall be operated therein, but operation under such a license shall be limited to through traffic without stopping in such municipality for taking on or discharging passengers, except in case of a railroad or railway company operating a bus line as a part of its system.

Section 4. Each license issued after July eighteenth, nineteen hundred and twenty-seven, under the provisions of general law applicable thereto or under this chapter, and not since revoked, shall remain in force and effect as to the routes and for the number of vehicles specified in such license or operated thereunder, notwithstanding any limitation therein contained as to the time it shall remain in effect,

until revoked as hereinafter provided. After public notice and hearing, the licensing authority may, for good and sufficient reasons to be stated in the order of revocation, revoke in whole or in part such a license issued by such authority, but unless within thirty days after any such order of revocation, except an order made by the department or by the metropolitan district commission acting as such licensing authority, the licensee consents thereto in writing, such order shall not be valid until approved by the department after public notice and hearing.

Revocation by licensing authority, etc.

Invalid until approved by department, unless, etc.

Section 5. The department may, in order to provide for unusual, sudden or unforeseen transportation needs, or to avoid interruption of existing transportation facilities, issue such temporary licenses as it deems that public convenience and necessity may require over such route or routes as it shall specify. All temporary licenses issued under the provisions of this section shall be limited to such period as the department shall specify, not exceeding sixty days. No such license shall be renewed, nor shall more than one such license for substantially the same route be granted to the same person because of the same emergency.

Temporary licenses, issue.

Limitation.

Not to be renewed, etc.

Section 6. No motor vehicle shall be operated under any license issued under this chapter until the licensee, in addition to complying with all orders, rules and regulations of the licensing authority, shall have deposited with the state treasurer a bond, running to him in such sum as the department may reasonably require, with a surety or sureties or other security approved by the state treasurer and by the department, conditioned to pay any final judgment obtained against the principal named in the bond for any injury to person or property or for damages for causing the death of any person by reason of any negligent or unlawful act, on the part of said principal, his or its agents, employees or drivers, in the use or operation of any such motor vehicle. Any person so injured or damaged, or his executor or administrator, or the executor or administrator of any person whose death was so caused, may enforce payment of such judgment by suit on said bond in the name of the state treasurer, and in such suit the court may make any appropriate order for the application of any security deposited as aforesaid. If any liability insurance policy filed as security for any such bond, or any such bond with a surety company as surety, shall be cancelled or a renewal policy or bond is not filed prior to the expiration thereof, or if the state treasurer or the department at any time after notice and hearing shall determine that the sureties on any such bond or the security therefor is not sufficient, or if the department shall in its discretion determine and notify the licensee that a larger bond is required, no such motor vehicle shall thereafter be operated until the licensee has furnished other or additional security approved by the state treasurer and by the department. No security other than as herein provided shall be required of any such licensee.

Licensees to deposit security by bond, conditioned to pay judgment for injury to person or property, etc.

Suits on bonds.

Licensees not to operate in case of cancellation of policy or failure to renew bond, etc.

Certificate of public convenience and necessity, issue to licensees by department of public utilities.

Section 7. No person shall operate a motor vehicle under a license issued as aforesaid unless he has also obtained from the department a certificate declaring that public convenience and necessity require such operation. The department may, after public hearing, issue or refuse to issue such a certificate, or may issue the same for the partial exercise only of the privilege sought. Such certificate shall specify the route or routes over which the motor vehicles to be used thereunder may operate, and may prescribe the period during which the rights granted therein or in such license may be exercised, and may attach to the exercise of said rights such terms and conditions as the department shall deem that public convenience and necessity may require. The department, after notice and hearing, may revoke any such certificate for cause, and may, in like manner, revise any provisions thereof and any of the terms and conditions of such certificate or license. Upon such revocation, or upon the termination of the period covered by such certificate, the right of any person to operate thereunder shall immediately terminate. The department may adopt rules prescribing the manner and form in which applications for certificates or for any modification of outstanding certificates shall be made.

To specify routes, etc.

Revocation, etc., of certificate.

Rules as to applications for certificates, etc.

Permit, issue by department, when.

Section 8. No motor vehicle shall be operated under a license issued under the provisions of this chapter without a permit from the department. Such permit shall not be issued until an inspector of the department finds that such motor vehicle, in respect to type, construction, equipment and operating condition, conforms to the rules and regulations promulgated by the department under the provisions of this chapter. The department may charge for such permit such reasonable fee not exceeding ten dollars as it may fix. Such permit may be revoked or suspended by the department at any time when it appears to the department that the motor vehicle covered by such permit does not conform to said rules and regulations. No other permit, license or registration shall be required for any such motor vehicle, except as provided in chapter ninety.

Fee.

Revocation or suspension.

License to operate, issue by department.

Section 9. No person shall drive any motor vehicle under authority of this chapter unless he shall, in addition to holding an unlimited license to operate motor vehicles from the registrar of motor vehicles, be licensed by the department. No license shall be issued by the department except to persons at least twenty-one years of age. The department may charge a fee of one dollar for each such license, and may revoke or suspend such a license at any time for such cause as may seem to it sufficient. No other license or permit than as specified or referred to in this section shall be required for any such driver.

Fee.

Revocation or suspension.

Licensees declared to be common carriers.

Section 10. Any person engaged in the operation of motor vehicles under a license and certificate as provided in this chapter is hereby declared to be a common carrier. The department shall have general supervision and regulation

Supervision and regulation by department

of, and jurisdiction and control over such common carriers to the same extent as it has over railway companies, except as to the issue of securities by persons whose securities are not subject to the jurisdiction of the department. The department may, from time to time, prescribe forms of accounts, records and memoranda for such common carriers and their accounts shall be kept in accordance with the forms prescribed. over common carriers, etc.

Section 11. If the department after notice and hearing finds that any motor vehicle subject to this chapter has been operated in violation of any provision thereof, it may notify the registrar of motor vehicles of its findings, and the registrar may thereupon revoke the registration of such motor vehicle or the license of the driver thereof, or both, as may be recommended by the department. Revocation of registration of motor vehicle or license of driver thereof, if, etc.

Section 12. The licensing authority in any city or town may, in respect of matters not treated of in the provisions of law governing the operation of motor vehicles under this chapter or rules established by the department, adopt rules and regulations governing such operation. After the adoption of any such rules and regulations, any person operating such a motor vehicle as authorized by this chapter, or a railway or railroad company operating a railway or railroad in such city or town, or any twenty residents thereof, may petition the department for the alteration, amendment or revocation of any such rule or regulation. Rules and regulations by municipal authorities governing common carriers of passengers by motor vehicles, petition to department for alteration, etc.

The department, upon such petition, after notice to the licensing authority and a hearing, may alter, amend or revoke such rule or regulation and establish in place thereof rules and regulations thereafter to be observed in such city or town. Thereafter the department, upon its own initiative or upon petition of the mayor of such city or the selectmen of such town, or of any person so operating any such motor vehicle in such city or town, or of a railway or railroad company operating a railway or railroad in such city or town, or of any twenty residents thereof, after notice to the licensing authority of such city or town, may alter, amend or revoke any rule or regulation established by the department, and may adopt rules and regulations in substitution thereof. Rules and regulations prescribed by the department under this section shall not be subject to amendment or repeal by a city or town or by the licensing authority thereof. Department may alter, etc. rules, etc. Subsequent alterations, etc., of rules, etc., established by department. Rules, etc., of department not subject to amendment, etc., by local authorities.

Section 13. Nothing contained in this chapter shall lessen or affect the authority or powers of the department of public works or of the registrar of motor vehicles under chapter ninety. Certain authority and powers not affected.

Section 14. The provisions of this chapter shall not apply to transportation by the system known as trolleymotor or trackless trolley under the provisions of chapter one hundred and sixty-three. Chapter not applicable to trackless trolley system, etc.

Section 15. Whoever violates any provision of this chapter, or any order, rule or regulation adopted or established Penalties for violation.

thereunder, or any requirement, condition, limitation or restriction contained in any license, certificate or permit issued under authority of this chapter, shall be punished by a fine of not more than one hundred dollars or by imprisonment in the house of correction for not more than two months, or both; and the supreme judicial and superior courts shall have jurisdiction in equity to restrain any such violation upon petition of the department, any licensing authority, ten citizens of any city or town affected by such violation, or any interested party.

Supreme judicial and superior courts may restrain violations.

Section 16. Whoever fraudulently evades or attempts to evade the payment of a fare lawfully established by a common carrier duly licensed under the provisions of this chapter, either by giving a false answer to the collector of the fare, or by travelling beyond the point to which he has paid the same, or by leaving the motor vehicle without having paid the fare lawfully established for the distance travelled, or otherwise, shall forfeit not less than five nor more than twenty dollars. Whoever does not upon demand first pay such fare shall not be entitled to be transported for any distance, and may be ejected from such a motor vehicle.

Penalty for evasion of payment of a fare on motor vehicles of common carriers of passengers.

Ejection for failure to pay upon first demand.

Repeals.

Section 2. Section forty-five of chapter one hundred and fifty-nine of the General Laws, as amended by section one of chapter two hundred and eighty of the acts of nineteen hundred and twenty-five, by chapter one hundred and sixty-three and section one of chapter three hundred and ninety-two, both of the acts of nineteen hundred and twenty-six, and by chapter two hundred and seventy-six of the acts of nineteen hundred and twenty-seven; section forty-six of said chapter one hundred and fifty-nine, as amended by section seven of chapter three hundred and forty-six of the acts of nineteen hundred and twenty-five, by section six of chapter three hundred and sixty-eight and section two of chapter three hundred and ninety-two, both of the acts of nineteen hundred and twenty-six, and by section one of chapter two hundred and sixty-eight of the acts of nineteen hundred and twenty-seven; section forty-seven of said chapter one hundred and fifty-nine, as amended by chapter one hundred and seventy-six of the acts of nineteen hundred and twenty-five and by section two of chapter two hundred and sixty-eight of the acts of nineteen hundred and twenty-seven; section forty-eight of said chapter one hundred and fifty-nine; sections forty-eight A and forty-eight B of said chapter one hundred and fifty-nine as inserted by section two of chapter two hundred and eighty of the acts of nineteen hundred and twenty-five; section forty-nine of said chapter one hundred and fifty-nine, as amended by section three of chapter two hundred and eighty of the acts of nineteen hundred and twenty-five; section four of chapter two hundred and eighty of the acts of nineteen hundred and twenty-five, and section forty-nine A of said chapter one hundred and fifty-nine, as inserted by chapter one hundred and fifteen of the acts of nineteen hundred and twenty-eight, are hereby repealed.

Section 3. All licenses and certificates heretofore granted by the proper licensing authorities or by the department of public utilities, and not heretofore revoked, and all orders, rules and regulations, so far as not inconsistent with the provisions of this act, heretofore issued, granted, made or adopted under authority of the statutes repealed by section two shall remain in force and effect in the same manner and to the same extent as if issued, granted, made or adopted under the provisions of this act.

Certain licenses and certificates, and certain orders, rules and regulations to remain in force and effect, etc.

Section 3A. Section seventy A of chapter one hundred and sixty of the General Laws, inserted by section one of chapter one hundred and twenty-five of the acts of nineteen hundred and twenty-five, is hereby amended by striking out, in the fifteenth, sixteenth and seventeenth lines, the words "sections forty-five to forty-nine, inclusive, of said chapter one hundred and fifty-nine" and inserting in place thereof the following: — chapter one hundred and fifty-nine A, — so as to read as follows: — *Section 70A*. A railroad corporation may acquire, hold, maintain and operate steamship companies, ferries, ferry boats and docks and, with the approval of the department, motor vehicles not running upon rails or tracks, for the transportation of passengers or freight, to be operated upon such routes as public convenience and necessity, in the opinion of the department, may require, subject, in respect to the transportation of freight, to the provisions of section thirty-one A of chapter ninety. Any such railroad corporation, in maintaining and operating such vehicles, shall be subject to all other provisions of chapter ninety and to all other laws applicable to motor vehicles and the operation thereof; to the provisions of chapter one hundred and fifty-nine in respect to rates, fares and charges for services performed, and, in respect to the transportation of passengers, to chapter one hundred and fifty-nine A. This section shall not be construed to affect any right or privilege derived from the constitution or laws of the United States.

G. L. 160, § 70A, amended.

Railroad corporations may acquire, operate, etc., steamship companies, docks, motor vehicles, etc.

In operation of motor vehicles to be subject to certain laws.

Certain rights not affected.

Section 4. Section forty-four of chapter one hundred and sixty-one of the General Laws is hereby amended by striking out all after the word "to", the first time said word occurs in the fourth line, and inserting in place thereof the following: — chapter one hundred and fifty-nine A, so far as applicable, — so as to read as follows: — *Section 44*. Any company, with the approval of the department, may acquire, own and operate, for the transportation of passengers or freight, motor vehicles not running upon rails or tracks, but in such operation shall be subject to chapter one hundred and fifty-nine A, so far as applicable.

G. L. 161, § 44, amended.

Street railway companies may acquire and operate motor vehicles.

Section 5. Section twelve of chapter one hundred and fifty-nine of the General Laws is hereby amended by striking out paragraph (*b*) and inserting in place thereof the following: —

(*b*) The carriage of passengers for hire upon motor vehicles as provided in chapter one hundred and fifty-nine A, in section seventy A of chapter one hundred and sixty and

G. L. 159, § 12, amended.

Carriers subject to jurisdiction of department of public utilities.

in section forty-four of chapter one hundred and sixty-one, but only to the extent therein provided.

G. L. 90, § 1A, etc., amended.

SECTION 6. Section one A of chapter ninety of the General Laws, inserted by section one of chapter three hundred and forty-six of the acts of nineteen hundred and twenty-five, and as most recently amended by section two of chapter forty-seven of the acts of the current year, is hereby further amended by striking out, in the third and fourth lines, the words "forty-six of chapter one hundred and fifty-nine" and inserting in place thereof the following: — six of chapter one hundred and fifty-nine A, — so that the first sentence of said section one A will read as follows: — No motor vehicle or trailer, except one owned by a person, firm or corporation, for the operation of which security is required to be furnished under section six of chapter one hundred and fifty-nine A, or one owned by any other corporation subject to the supervision and control of the department of public utilities or by a street railway company under public control, or by the commonwealth or any political subdivision thereof, shall be registered under sections two to five, inclusive, unless the application therefor is accompanied by a certificate as defined in section thirty-four A.

Applications for registration of certain motor vehicles or trailers to be accompanied by certificate as to motor vehicle liability policy, bond or deposit, etc.

1930, 392, § 2, amended.

SECTION 7. Section two of chapter three hundred and ninety-two of the acts of nineteen hundred and thirty is hereby amended by striking out, in the seventh and eighth lines, the words "section forty-five of chapter one hundred and fifty-nine" and inserting in place thereof the following: — chapter one hundred and fifty-nine A, — so as to read as follows: — *Section 2.* Each vehicle used or designed to be used for the conveyance of persons for hire from place to place within the city of Boston, except a street or elevated railway car or a trackless trolley vehicle, within the meaning of section two of chapter one hundred and sixty-three of the General Laws, or a motor vehicle, known as a jitney, operated in the manner and for the purposes set forth in chapter one hundred and fifty-nine A of the General Laws, or a sight-seeing automobile licensed under chapter five hundred and ninety-two of the acts of nineteen hundred and thirteen, shall be deemed to be a hackney carriage within the meaning of sections two to nine, inclusive, of this act; and in said sections, unless the context otherwise expressly requires, the words "drive" and "driver" shall be respectively deemed to include "operate" and "operator", a special hackney stand shall be one for the exclusive use, for hackney carriage purposes, of the licensee thereof, a private hackney stand shall be one established only upon private property, and a public hackney stand shall be one for the common use, for hackney carriage purposes, of all licensees under section four except those licensed to use special hackney stands.

What shall be deemed to be a hackney carriage within meaning of 1930, 392, §§ 2 to 9, inclusive.

Words "drive" and "driver" to include "operate" and "operator."

Special, private and public hackney stands defined.

Effective date.

SECTION 8. This act shall take effect on the first day of September, nineteen hundred and thirty-one.

Approved June 9, 1931.

An Act relative to the collection of taxes. *Chap.* 409

Be it enacted, etc., as follows:

Section 1. Chapter sixty of the General Laws is hereby amended by striking out section thirty-four and inserting in place thereof the following: — *Section 34.* If a tax assessed upon a person remains unpaid for fourteen days after demand therefor, the collector may issue his warrant to the sheriff or his deputies of the county, or the deputy collector of taxes or a constable of the town, wherein the person assessed has his usual place of abode or of business, directing them and each of them to distrain the property or take the body of the person assessed and to proceed as required of collectors in like cases; but a collector of taxes who issues a warrant for the arrest of a person for non-payment of taxes, or the officer to whom he commits the warrant, may at his discretion, after the service of the warrant, allow such person to go free for a period not exceeding fourteen days after said service, at which time, if said person does not pay his tax with all fees and charges due thereon, including the fee for service of said warrant and travel as provided by section fifteen, said officer shall then arrest the said person on the aforesaid warrant, and commit him to the jail of the county where he makes the arrest. The warrant shall run throughout the commonwealth, and any officer to whom it is directed as aforesaid may serve it and apprehend the person in any county. A warrant issued under this section may be signed by the collector or his deputy; and, if the warrant is sealed by an impression seal, a facsimile of the signature of the collector shall have the same validity as his written signature.

G. L. 60, § 34, amended.

Warrant of collector of taxes to officer.

Release after service of warrant.

Arrest.

Signing of warrants.

Section 2. Said chapter sixty is hereby further amended by inserting after section thirty-four the following new section: — *Section 34A.* A person shall not be committed to jail for the non-payment of a tax, nor shall a person so committed be further detained therein, if he gives to the collector or to the officer charged with the service of the collector's warrant a bond running to the collector sufficient in amount to cover the amount of the tax and all interest and other charges and fees which are or may become due thereon, conditioned to pay the same to the collector or officer within thirty days thereafter or within such further time as the collector or officer may fix, and with such surety or sureties as the collector or officer or a master in chancery may approve. A person shall not be committed for such non-payment until he has been given a reasonable time to procure such a bond.

G. L. 60, new section after § 34.

Person not to be committed for non-payment of tax if he gives bond, etc.

Approved June 9, 1931.

Chap. 410 AN ACT AUTHORIZING THE CITY OF PITTSFIELD TO TAKE WATERS AND OTHER PROPERTY FOR THE PURPOSE OF INCREASING ITS WATER SUPPLY.

Be it enacted, etc., as follows:

City of Pittsfield may take certain waters for purpose of increasing its water supply.

SECTION 1. For the purpose of increasing its water supply and subject to the provisions of section three of this act, the city of Pittsfield is hereby authorized to take by eminent domain under and in accordance with chapter seventy-nine of the General Laws, except as hereinafter provided, or to acquire by purchase or otherwise, and hold, at any time or from time to time, the waters of Cleveland brook, so called, and its tributaries lying within the towns of Hinsdale and Dalton, Windsor reservoir, so called, including the dam, lying within the towns of Hinsdale and Dalton, and all the waters flowing into or from said reservoir, and water rights connected therewith located within the towns of Hinsdale, Peru, Windsor and Dalton, and to convey the waters so taken to the city of Pittsfield. Said city is also authorized to take by eminent domain under said chapter seventy-nine of the General Laws, except as hereinafter provided, or acquire by purchase or otherwise and hold all land, rights of way, and easements in the towns of Dalton, Hinsdale, Windsor, Peru or Cheshire or in the city of Pittsfield which may be necessary for collecting and storing such water and protecting and preserving the purity thereof and for conveying the same to any part of the city of Pittsfield or to the Dalton fire district; provided, however, that no source of water supply or reservoir or lands shall be taken or acquired under the authority of this act except with the approval of the state department of public health and that all works for taking, storing, conveying or diverting said water shall be constructed in general accordance with plans approved by said department.

May take certain lands, etc.

Proviso.

May construct pipes, conduits, reservoirs, etc., necessary for storing water or conveying same, etc.

SECTION 2. Said city of Pittsfield may lay, construct and maintain on the lands acquired hereunder all pipes, conduits, channels, ditches, dams, reservoirs, or other works or structures including filtration and other treatment works necessary for the establishment and maintenance of complete and effective water works and for storing water and conveying, filtering or otherwise treating or distributing the same; and for the purposes aforesaid, may lay, construct and maintain its conduits, water pipes, aqueducts, and other works or structures under, over or along any land, water courses, railroads, street railways, public or other ways in such manner as not unnecessarily to obstruct the same; and for the purposes of constructing, laying, maintaining, operating and repairing such conduits, pipes and other works, and for all other proper purposes of this act, said city of Pittsfield may dig up or raise and embank any such lands, highways or other ways in such manner as to cause the least hindrance to public travel thereon, provided that no conduits or pipes shall be laid in public ways outside the city of Pittsfield except under

May dig up and embank lands, etc.

Proviso.

such reasonable regulations as may be prescribed by the selectmen of the town in which such work is done and any public way in which work is done under the provisions of this act shall be restored by said city of Pittsfield to a condition satisfactory to said board of selectmen. Said city of Pittsfield shall not enter upon, construct or lay any conduits, pipes or other works within the locations of any railroad corporation, except at such time and in such manner as it may agree upon with such corporation, or, in case of failure so to agree, as may be approved by the department of public utilities.

Restrictions as to entry upon railroad locations, etc.

Section 3. Upon the taking or acquisition by the city of Pittsfield of any property or rights under this act, said city shall be under the duty to the Dalton fire district and the said Dalton fire district may require from said city:

Dalton fire district may make certain requirements from city, upon, etc.

(*a*) That sufficient storage facilities shall be constructed on the property acquired to provide for storage of water adequate to supply to Dalton fire district, in addition to the requirements of the city of Pittsfield, a maximum draught of thirty-five million gallons of water per week.

Construction of sufficient storage facilities.

(*b*) That the east branch, so called, of the Housatonic river shall be diverted at a point above its entrance to the present Windsor reservoir into a reservoir to be constructed by said city, and a pipe line or pipe lines shall be installed and maintained by said city of sufficient capacity and in such location or locations as to provide for the conveyance to Dalton fire district from the water stored in such new reservoir of fourteen million gallons per week, maximum draught, in addition to the requirements of the city of Pittsfield, and to provide for the delivery therefrom of fourteen million gallons per week, maximum draught, to the existing twelve inch main pipe line of the Dalton fire district at or near the corner of Main and North streets in Dalton at a pressure not less than seventy-nine pounds per square inch at street level.

Diversion of east branch of Housatonic river, etc.

(*c*) That sufficient land, rights in land, and other property shall be acquired by the city of Pittsfield to make possible the accomplishment of the purposes set forth in the two preceding paragraphs of this section.

Acquisition of sufficient land, etc.

(*d*) The requirements of the three preceding paragraphs of this section shall be effected as soon as reasonably possible, without expense to the Dalton fire district, and said district shall retain title to Windsor reservoir and all waters flowing into and from the same and any water rights connected therewith, excepting the above-mentioned east branch of the Housatonic river; but the said district shall convey to the city of Pittsfield, at the original cost to said district, such other lands or rights owned by said district as the said city of Pittsfield may deem necessary to carry out such requirements.

Requirements of three preceding paragraphs to be effected without expense to the Dalton fire district, etc.

(*e*) The said Dalton fire district may require and the city of Pittsfield shall be obligated to furnish to the said district, on the completion of the work specified in the preceding paragraphs of this section, a water supply of a maximum weekly draught of fourteen million gallons, without charge.

Maximum water supply on completion of work.

Additional water supply.

Notice and conveyance to city of Pittsfield of Windsor reservoir and dam, etc.

(*f*) At any time after the completion of the construction specified in the preceding paragraphs of this section, the Dalton fire district may require of the city of Pittsfield an additional water supply of a maximum weekly draught of twenty-one million gallons, by giving notice in writing of such requirement, accompanied by a deed from said Dalton fire district, conveying to the city of Pittsfield, Windsor reservoir and dam, and all of the lands and rights owned by said district in connection with said Windsor reservoir and the streams flowing into it other than such lands and rights as have been previously acquired by the said city of Pittsfield under the preceding paragraphs of this section; and thereupon the city of Pittsfield within twelve months after such notice and conveyance shall construct such additional diversion works and other works as may be required to divert Cady brook, so called, into the reservoir to be constructed under the preceding paragraph of this section and a pipe line or pipe lines shall be installed and maintained by said city of sufficient capacity and in such location or locations as to provide for the delivery of such additional supply as hereinbefore provided for in the manner and at the minimum pressure as defined in paragraph (*b*) hereof, and said district shall pay to the city of Pittsfield the sum of two hundred thousand dollars upon the completion of such additional construction, and upon such completion, and after such payment, the said district may require from said city and the said city shall be obligated to furnish to said district a water supply of thirty-five million gallons per week maximum draught, without charge.

Construction of additional diversion works, etc.

Payment of certain sum by district to city upon completion of additional construction, etc.

Dalton fire district to supply necessary water until, etc.

(*g*) Until such time as the notice and conveyance mentioned in paragraph (*f*) of this section shall have been given, the Dalton fire district shall supply from Windsor reservoir such water as may be necessary to maintain in the stream below said reservoir the minimum flow from the Windsor reservoir watershed, which may be ordered by the state department of public health, and from and after such notice and conveyance, such duty shall devolve upon the city of Pittsfield.

Taking of land or property to be in accordance with G. L. 79, except, etc.

SECTION 4. The taking of land or other property under this act may be permanent or temporary and shall be in accordance with said chapter seventy-nine except that

(*a*) Said city need make no award of damages for injuries sustained by persons or corporations on account of any taking of water or water rights;

(*b*) The notice required by section eight of said chapter seventy-nine need not be given in case of a taking of water or water rights;

(*c*) Petitions for the assessment of damages under section fourteen of said chapter seventy-nine may be filed within two years after the right to such damages has vested, without any extension of time by reason of failure to receive notice under section eight thereof or otherwise;

(*d*) Said city shall, within thirty days after making any taking cause a copy of the order of taking to be printed in full

in one or more daily or weekly newspapers published in the county in which the lands affected are situated, or, in the case of a taking of water or water rights, in the county in which the point of diversion is situated;

(*e*) An owner of land or other property taken shall, upon request made within six months of the taking, be furnished within thirty days of such request with a plan or description of his land or other property taken;

(*f*) No taking shall be made by the city of Pittsfield under this act except as shall be voted from time to time by the city council of said city.

Property damages, recovery, etc.

Section 5. Any person, corporation or municipality sustaining damage in his or its property by the taking of land, water, water rights, easements or other property, or by the entry upon or the use of any property, or by the making of any change of grade, layout, construction, alteration, discontinuance of a way, or by anything done by the city of Pittsfield under authority of this act shall be entitled to recover the same from said city under said chapter seventy-nine; provided, that the right to any damages for the taking of any water, water right, or any injury thereto shall not vest until water is actually withdrawn or diverted under such taking. Damages for the temporary use or injury to property may, on the request of the petitioner, be assessed by monthly payments, to be continued so long as the property is used or injured.

Proviso.

Entry upon lands for purpose of making surveys, etc.

Section 6. The city of Pittsfield may enter upon any lands for the purpose of making surveys, stream gagings, test pits and borings, and may take or otherwise acquire the right to occupy temporarily any lands necessary for the construction of any works or for any other purpose authorized by this act.

Suitable ways to be built in place of ways flowed, etc.

Section 7. If the city of Pittsfield shall under authority of this act construct any reservoir in such manner as to flow any existing public way, it shall raise the way to such grade as will make it reasonably safe and convenient for travel or shall build in place of any part of said way so flowed another suitable way, with all necessary fences and culverts, which way shall thereafter be a public way, and shall be maintained and kept in repair by the town in which the same is located.

To be public ways, etc.

City may sell land no longer needed, etc.

Section 8. Said city of Pittsfield, with the advice and approval of the state department of public health, may sell at public or private sale or may exchange any real property, or any easements, whether taken by eminent domain or otherwise, no longer needed for works under its charge or may from time to time lease any property not then so needed; and may in its discretion, by lease, license or other agreement, permit the construction and maintenance on any land under its control of towers, poles, wires, and other structures for the purpose of transmitting electric power over lands and water of said city held for water supply purposes under this act; provided, that in the opinion of the said department, such lease, license or agreement will not affect or interfere with the

May permit construction of towers, poles, etc., for certain purposes.

Proviso.

Proviso.

water supply; and provided further, that said city may revoke said lease, license or agreement for cause to be determined by it, with the approval of said department.

Contracts.

SECTION 9. In contracts entered into by the city of Pittsfield for the construction of the works herein authorized there may be inserted a provision that the city or any contractor or sub-contractor for the city may employ laborers, workmen, and mechanics for more than eight hours in any one day or for more than forty-eight hours in any one week in such construction when, in the opinion of the commissioner of labor and industries, public necessity so requires.

Engineering, legal, clerical and other assistants, etc.

SECTION 10. The city of Pittsfield may in its discretion appoint and remove such engineering, legal, clerical and other assistants as it may deem necessary to carry on the work authorized by this act and may fix their compensation. Such appointments and removals shall be wholly exempt from the operation of the provisions of chapter thirty-one of the General Laws and the rules and regulations adopted thereunder.

Special water committee, appointment, etc.

SECTION 11. Except as otherwise provided, all or any part of the authority granted to the city of Pittsfield by the preceding sections of this act may, if the city council of said city shall so order, be exercised by a special water committee or commission which shall be appointed and constituted in such manner as such order may direct, and whose authority shall continue for such period as may be specified in such order, notwithstanding the earlier termination of the term of office of the city council passing such order.

Penalty for polluting, etc., water.

SECTION 12. Whoever wilfully or wantonly corrupts, pollutes or diverts any water taken or held under this act, or injures any structure, work or other property owned, held or used by the city of Pittsfield under authority of this act, shall forfeit and pay to said city three times the amount of the damages assessed therefor, to be recovered in an action of tort; and upon being convicted of any of the above wilful or wanton acts shall be punished by a fine of not more than three hundred dollars or by imprisonment for not more than one year.

City to manage, improve and control land and property acquired under provisions of act.

SECTION 13. The city of Pittsfield through its department of public works, city engineer or such other department, board or officer as the city council may from time to time determine, shall manage, improve and control the land and other property purchased or acquired in any way under the provisions of this act, and may prohibit all persons from entering in, upon or over the waters of any reservoir constructed under authority of this act or upon any lands taken or acquired by said city hereunder.

Court enforcement.

SECTION 14. The supreme judicial court or any justice thereof, and the superior court or any justice thereof, in term time or vacation, on the petition of the state department of public health or of any city, town, corporation or persons interested, shall have jurisdiction in equity or otherwise to enforce the provisions of this act and of any rule, regulation

or order made under authority of this act and to prevent any violation of any of said provisions.

City may issue bonds or notes, etc.

Section 15. Said city of Pittsfield may, for the purposes of paying the necessary expenses and liabilities incurred or to be incurred under the provisions of this act, issue from time to time, within a period of ten years from the passage of this act, bonds or notes to an amount not exceeding, in the aggregate, two million dollars, which shall bear on their face the words, City of Pittsfield Water Loan, Act of 1931. Each authorized issue shall constitute a separate loan, and shall be payable in not more than thirty years from its date. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall, except as provided herein, be subject to chapter forty-four of the General Laws.

City of Pittsfield Water Loan, Act of 1931.

Payment of loan, etc.

Section 16. The said city shall, at the time of authorizing said loan or loans provide for the payment thereof in accordance with section fifteen; and when a vote to that effect has been passed, a sum which, with the income derived from water rates, will be sufficient to pay the annual expense of operating its water works and the interest as it accrues on the bonds or notes issued as aforesaid by the city and to make such payments on the principal as may be required under the provisions of said section fifteen shall, without further vote, be assessed by the assessors of the city annually thereafter in the same manner as other taxes, until the debt incurred by said loan or loans is extinguished.

Submission to voters of Dalton fire district, etc.

Section 17. This act shall take effect upon its acceptance by two thirds of the voters of the Dalton fire district present and voting thereon at a meeting called for the purpose within one month after the passage of this act and for the purpose only of being submitted to the voters of said district as aforesaid this act shall take effect upon its passage; but if actual construction under the requirements of paragraphs (*a*) or (*b*) of section three hereof shall not be commenced within two years after this act takes effect, then said city shall forfeit all rights hereunder. *Approved June 9, 1931.*

An Act providing for the appointment of a finance commission for the city of Lowell. *Chap.* 411

Be it enacted, etc., as follows:

Finance commission for the city of Lowell, appointment.

Section 1. On or before the first day of July in the current year, the governor, with the advice and consent of the council, shall appoint a finance commission for the city of Lowell to consist of three persons, registered voters in said city, who shall have been such for at least five years prior to the date of their appointment, hereinafter called the commission.

Vacancies.

Vacancies in the commission shall be filled for the unexpired term by the governor, with the advice and consent of the council.

Removal.

The members of the commission may be removed by the governor with the advice and consent of the council for such cause as he shall deem sufficient.

Chairman, salary.

The chairman shall be designated by the governor and shall

receive an annual salary of two thousand dollars, which shall be paid in monthly installments by said city. The other members of said commission shall receive an annual salary of one thousand dollars each, payable in monthly installments by said city. The commission shall be furnished by said city with suitable quarters in its city hall.

Salaries of other members of commission.

Commission to make up annual and supplementary budgets to be submitted to mayor, etc.

SECTION 2. The various departments and officers of the city shall submit in detail to the commission on its request all requests for appropriations. The commission shall, after investigation, make up in conformity to law the annual and supplementary budgets of said city which shall be submitted to the mayor in season to be submitted by him to the city council as required by the charter of said city. The mayor may increase or reduce any item included therein, giving his reasons in writing therefor and he shall submit the same to the city council which may reduce but not increase any item included therein.

To investigate matters relating to appropriations, loans, etc.

SECTION 3. It shall be the duty of the commission from time to time to investigate any and all matters relating to appropriations, loans, expenditures, accounts and methods of administration affecting said city, or any department, board or officer thereof, that may appear to the commission to require investigation, and to report thereon from time to time to the mayor, the city council, the governor or the general court. The commission shall make an annual report in January of each year to the general court.

Annual report to general court.

To investigate claims against city, etc.

SECTION 4. Any pay roll, bill, or other claim against the city shall, on request in writing of the commission filed with the city auditor, be referred by the said auditor to the commission before being presented to the city treasurer for payment. The commission shall immediately investigate the same and report thereon, and pending such report payment shall be withheld. The commission shall have like power to disapprove any pay roll, bill or claim against the city as city auditors have under section fifty-two of chapter forty-one of the General Laws.

May employ experts, counsel, etc.

SECTION 5. The commission is authorized to employ such experts, counsel, and other assistants, and to incur such other expenses as it may deem necessary, and the same shall be paid by said city upon requisition by the commission, not exceeding in the aggregate in any year the sum of ten thousand dollars, or such additional sums as may be appropriated for the purpose by the city council and approved by the mayor. A sum sufficient to cover the salaries of the members of the commission and the further sum of at least ten thousand dollars to meet the expenses as aforesaid shall be appropriated each year by said city. The commission shall have the same right to incur expenses in anticipation of its appropriation as if it were a regular department of said city.

May require attendance and testimony of witnesses and production of books, papers, etc.

SECTION 6. For the purpose of enabling the said commission to perform the duties and carry out the objects herein contemplated and to enable the mayor, the city council, the governor or the general court to receive the

reports and findings of said commission as a basis for such laws, ordinances, or administrative orders as may be deemed meet, the commission shall have power to require the attendance and testimony of witnesses and the production of all books, papers, contracts and documents relating to any matter within the scope of any investigation authorized by this act, or which may be material in the performance of the duties imposed by this act. Such witnesses shall be summoned in the same manner and be paid the same fees as witnesses in civil cases before the courts. Each of such witnesses may be represented by counsel who may cross examine the witness for whom he appears for not more than ten minutes during his examination. Counsel for any witness at any public hearing may ask him any pertinent question and may offer pertinent evidence through other witnesses subject to cross examination by the commission and its counsel. The chairman or any member of the commission may administer oaths to or take the affirmation of witnesses who appear before the commission. The commission may prescribe reasonable rules and regulations for the conduct of hearings and the giving of testimony.

Witnesses may be represented by counsel, etc.

Oaths.

Rules and regulations for conduct of hearings, etc.

Section 7. If any person so summoned and paid shall refuse to attend, or to be sworn, or to affirm, or to answer any question, or to produce any book, contract, document or paper pertinent to the matter of inquiry in consideration before the commission, a justice of the supreme judicial court or of the superior court, in his discretion, upon application by the commission or any member thereof, authorized thereto by vote of said commission, may issue an order requiring such person to appear before the commission, and to produce his books, contracts, documents and papers and to give evidence touching the matter in question. Any failure to obey such order of the court may be punished by such court as a contempt thereof.

Court order upon refusal to attend, etc.

Section 8. Any person so summoned and paid who shall refuse to attend, or to be sworn, or to affirm, or to answer any question or to produce any book, contract, document or paper pertinent to the matter in consideration by the commission, and any person who wilfully interrupts or disturbs, or is disorderly at, any hearing of the commission shall be punished by a fine not exceeding fifty dollars, or by imprisonment for not more than thirty days, or by both such fine and imprisonment.

Penalty.

Section 9. Upon application by the commission to any justice of the supreme judicial court, or of the superior court, the said justice may issue a commission to one or more competent persons in another state for the examination of a person without this commonwealth relative to any matter within the scope of the said investigation or of this act. The testimony of such person may be taken by open commission, or otherwise under the procedure, so far as the same may be applicable, provided by section forty-two of chapter two hundred and thirty-three of the General Laws,

Issue of commission for examination of person without commonwealth, etc.

and the said justice may issue letters rogatory in support of said commission.

Incriminating testimony, etc., not compelled.

SECTION 10. Nothing in this act shall be construed to compel any person to give any testimony or to produce any evidence, documentary or otherwise, which may tend to incriminate him.

Budget and auditing commission abolished.

SECTION 11. The budget and auditing commission of said city, established under authority of section twenty-nine of chapter three hundred and eighty-three of the acts of nineteen hundred and twenty-one, is hereby permanently abolished.

Effective upon passage.

Sections 1 to 10, inclusive, inoperative after July 1, 1936.

SECTION 12. This act shall take effect upon its passage but sections one to ten, inclusive, shall be inoperative on and after July first, nineteen hundred and thirty-six.

Approved June 9, 1931.

Chap. 412 AN ACT AUTHORIZING THE CITY OF HOLYOKE TO SELL CERTAIN UNUSED CEMETERY LAND.

Be it enacted, etc., as follows:

City of Holyoke may sell certain unused cemetery land.

SECTION 1. The city of Holyoke, by its proper authorities, may sell and convey to the Forestdale Cemetery Association a part, not exceeding one half, of the land now owned by said city and located in Forestdale cemetery in said city, which was conveyed to the town of Holyoke by said association by deed dated January twenty-fifth, eighteen hundred and sixty-one, and recorded in the Hampden county registry of deeds, book 204, page 463, and also may sell and convey to said association that certain lot of land located in Forestdale cemetery which was conveyed to the inhabitants of said town of Holyoke by said association by deed dated August twenty-fourth, eighteen hundred and sixty-eight, and recorded in said registry of deeds, book 2737, page 329, both upon such terms as may be agreed upon between said city and said association. Any moneys from the sale of the above mentioned properties shall be used by said city only for the perpetual care of that portion of the land first mentioned that is retained by said city and to be used as a burial place for the poor of said city.

Submission to board of aldermen, etc.

SECTION 2. This act shall take effect upon its acceptance during the current year by vote of the board of aldermen of said city, subject to the provisions of its charter, but not otherwise. *Approved June 9, 1931.*

Chap. 413 AN ACT TO PROVIDE FOR THE CONSTRUCTION OF A STATE AGRICULTURAL AND INDUSTRIAL BUILDING ON THE GROUNDS OF THE BROCKTON AGRICULTURAL SOCIETY.

Be it enacted, etc., as follows:

Construction of a state agricultural and industrial building on

SECTION 1. For the purpose of constructing a suitable and adequate state building upon the grounds now owned by the Brockton Agricultural Society in the city of Brockton,

which will provide for the eastern part of the commonwealth a state building similar to that provided for the western part thereof at the Eastern States Exposition grounds at West Springfield, there may be expended under the direction of the chairman of the commission on administration and finance and the commissioner of agriculture, acting jointly, such sum as may be appropriated therefor by the general court. All contracts for the construction of said building shall be subject to approval by the governor and council; but no contract or expenditure shall be made or liability incurred under this act until said society shall have executed and delivered to the commonwealth a conveyance or lease of a parcel of land suitable as a site for such proposed building by instrument approved by the attorney general, such conveyance or lease to be subject to such terms and conditions as may be approved by the governor and council.

the grounds of the Brockton Agricultural Society.

Contracts, etc.

Section 2. The said building may be used for the purpose of exhibiting both agricultural and industrial products of the commonwealth, but shall be under the supervision and control of the state department of agriculture and shall be maintained by said department at the expense of the commonwealth. *Approved June 9, 1931.*

May be used for purpose of exhibiting both agricultural and industrial products of state, etc.

An Act relative to the removal of human bodies from a city or town. *Chap.* 414

Be it enacted, etc., as follows:

Section forty-five of chapter one hundred and fourteen of the General Laws, as most recently amended by chapter forty-eight of the acts of nineteen hundred and twenty-seven, is hereby further amended by inserting after the word "certificate" in the twenty-eighth line the following: — If such a permit for the removal of a human body, not previously interred, from one town to another within the commonwealth cannot be obtained early enough for the purpose, the certificate of death made as above provided and in the possession of the undertaker desiring to make such removal shall constitute a permit for such removal; provided, that such body shall be returned to the town from which it was removed within thirty-six hours after such removal, unless a permit in the usual form for the removal of such body has been sooner obtained hereunder, — so as to read as follows: — *Section 45.* Except as provided in sections forty-four and forty-six, no undertaker or other person shall bury or otherwise dispose of a human body in a town, or remove therefrom a human body which has not been buried, until he has received a permit from the board of health or its agent appointed to issue such permits, or if there is no such board, from the clerk of the town where the person died; and no undertaker or other person shall exhume a human body and remove it from a town, from one cemetery to another, or from one grave or tomb other than the receiving tomb to another in the same

G. L. 114, § 45, etc., amended.

Permits for burial, etc., of human bodies.

Permits for exhumation, etc., of human bodies.

cemetery, until he has received a permit from the board of health or its agent aforesaid or from the clerk of the town where the body is buried. No such permit shall be issued until there shall have been delivered to such board, agent or clerk, as the case may be, a satisfactory written statement containing the facts required by law to be returned and recorded, which shall be accompanied, in case of an original interment, by a satisfactory certificate of the attending physician, if any, as required by law, or in lieu thereof a certificate as hereinafter provided. If there is no attending physician, or if, for sufficient reasons, his certificate cannot be obtained early enough for the purpose, or is insufficient, a physician who is a member of the board of health, or employed by it or by the selectmen for the purpose, shall upon application make the certificate required of the attending physician. If death is caused by violence, the medical examiner shall make such certificate. If such a permit for the removal of a human body, not previously interred, from one town to another within the commonwealth cannot be obtained early enough for the purpose, the certificate of death made as above provided and in the possession of the undertaker desiring to make such removal shall constitute a permit for such removal; provided, that such body shall be returned to the town from which it was removed within thirty-six hours after such removal, unless a permit in the usual form for the removal of such body has been sooner obtained hereunder. If the death certificate contains a recital, as required by section ten of chapter forty-six, that the deceased served in the army, navy or marine corps of the United States in any war in which it has been engaged, such recital shall appear upon the permit. The board of health or its agent, upon receipt of such statement and certificate, shall forthwith countersign it and transmit it to the clerk of the town for registration. The person to whom the permit is so given and the physician certifying the cause of death shall thereafter furnish for registration any other necessary information which can be obtained as to the deceased, or as to the manner or cause of the death, which the clerk or registrar may require. *Approved June 9, 1931.*

Written statement of certain facts to precede issuance of permit.

Certificate of attending physician, etc.

Certificate, if death by violence.

Certificate of death to constitute permit for removal of human body in certain instances.

Proviso.

Recital as to war service of deceased to appear upon permits.

Countersigning and registration of statement and certificate.

Furnishing of additional information as to deceased, etc.

Chap. 415 An Act relative to the application of the laws providing for aid to mothers with dependent children.

Be it enacted, etc., as follows:

G. L. 118, § 1, etc., amended.

Section one of chapter one hundred and eighteen of the General Laws, as amended by chapter three hundred and seventy-six of the acts of nineteen hundred and twenty-two and by chapter three hundred and eighty-one of the acts of nineteen hundred and thirty, is hereby further amended by striking out, in the second to fifth lines, inclusive, as printed in said chapter three hundred and seventy-six, the words "fourteen or between the ages of fourteen and sixteen if and

during the time when such children are required under section one of chapter seventy-six to attend a public day school" and inserting in place thereof the word: — sixteen, — so as to read as follows: — *Section 1.* This chapter shall apply to all mothers and their dependent children under the age of sixteen, whether or not they or any of them may have a settlement within the commonwealth, who shall have resided therein not less than three years. A mother shall not be disqualified from receiving aid under this chapter because of having but one such child. *Approved June 9, 1931.*

Aid to mothers with dependent children.

An Act authorizing the metropolitan district commission to construct and maintain a public golf course in that part of the Blue Hills reservation known as Redman farm. *Chap.* 416

Be it enacted, etc., as follows:

Section 1. The metropolitan district commission is hereby authorized and directed to construct, maintain and operate an eighteen hole public golf course, including locker and service buildings, on land of the metropolitan parks system in that section of the Blue Hills reservation known as Redman farm, and may expend therefor such sums, not exceeding, in the aggregate, eighty thousand dollars, as may hereafter be appropriated.

Metropolitan district commission may construct and maintain a public golf course in that part of the Blue Hills reservation known as Redman farm.

Section 2. Said commission may establish rules and regulations and make reasonable charges for the use of said golf course and locker and service buildings, and all sums of money received by said commission from said charges shall be accounted for and paid to the state treasurer, who shall receive and hold the same as a special fund to be used as a credit to the cities and towns of the metropolitan parks district toward the payment of assessments made thereon under general law to meet the cost of maintenance of reservations in said district. *Approved June 9, 1931.*

May establish rules and regulations, make reasonable charges, etc.

An Act relative to the liability of executors, administrators and administrators de bonis non to actions by creditors of estates. *Chap.* 417

Be it enacted, etc., as follows:

Section 1. Chapter one hundred and ninety-seven of the General Laws is hereby amended by striking out section nine and inserting in place thereof the following: — *Section 9.* Except as provided in this chapter, an executor or administrator, after having given due notice of his appointment, shall not be held to answer to an action by a creditor of the deceased which is not commenced within one year from the time of his giving bond for the performance of his trust, or to such an action which is commenced but not entered within said year unless before the expiration thereof the writ in such action has been served by delivery in hand upon such execu-

G. L. 197, § 9, amended.

Liability of executors, administrators and administrators de bonis non to actions by creditors of estates

tor or administrator or service thereof accepted by him or a notice stating the name of the estate, the name and address of the creditor, the amount of the claim and the court in which the action has been brought has been filed in the proper registry of probate. An executor, administrator or administrator de bonis non shall not be held to answer to an action by a creditor of the deceased which is commenced but not entered within any other or additional period of limitation for bringing such action provided by or under this chapter unless before the expiration of such period the writ in such action has been served by delivery in hand upon him or service thereof accepted by him or a notice as aforesaid has been filed in the proper registry of probate. The probate court may allow creditors further time for bringing actions, not exceeding two years from the time of the giving of his official bond by such executor or administrator, provided that application for such further time be made before the expiration of one year from the time of the approval of the bond.

Proviso.

When operative.

SECTION 2. This act shall become operative October first of the current year. *Approved June 9, 1931.*

Chap. 418 AN ACT ESTABLISHING A BOARD OF REGISTRATION OF BARBERS AND REGULATING THE PRACTICE OF THE OCCUPATION OF BARBERING.

Be it enacted, etc., as follows:

G. L. 13, three new sections after § 38.

SECTION 1. Chapter thirteen of the General Laws is hereby amended by adding after section thirty-eight, inserted therein by section two of chapter three hundred and forty-eight of the acts of nineteen hundred and twenty-five, the following three new sections under the following heading: —

BOARD OF REGISTRATION OF BARBERS.

Board of registration of barbers, establishment, membership.

Section 39. There shall be a board of registration of barbers, in this and the following two sections called the board, to be appointed by the governor, with the advice and consent of the council, and to consist of three members, citizens of the commonwealth, each of whom shall be a practical barber and shall have had five years of practical experience as a barber in this commonwealth prior to his appointment, and at least one of whom shall be a journeyman barber. No two members of the board shall, while in office, be engaged in practising the occupation of barbering in the same town. As the term of office of a member expires, his successor shall be appointed by the governor, with like advice and consent, to serve for three years. The governor may also, with like advice and consent, fill any vacancy in the board for the unexpired portion of the term.

Vacancy.

Meetings.

Section 40. The board shall hold regular meetings at the state house on the first Tuesdays of January, May and October in each year, and such additional meetings at such

times and places as it may determine. At the regular meeting in January it shall annually organize by the choice of a chairman and a secretary, who shall be members of the board. Before entering upon the discharge of the duties of his office, the secretary shall give to the state treasurer a bond, with such sureties as shall be approved by the governor and council, conditioned upon the faithful discharge of his duties, and the premium therefor shall be paid from the funds in the state treasury to the use of the board. Such bond, with the approval of the board and with the oath of office endorsed thereon, shall be filed in the office of the state secretary. The board shall have a common seal, and the members thereof may administer oaths. Organization. Bond. Seal.

Section 41. The members of the board shall devote their full time to the duties of their offices and they shall receive from the commonwealth the following salaries: — the secretary, three thousand dollars and his necessary expenses incurred in the discharge of his official duties, and each of the other two members twenty-five hundred dollars and his necessary expenses so incurred; provided, that the salaries and expenses of the members of the board, and the expenses of the board, shall not be in excess of the receipts for registration and from other sources received by the state treasurer from the board. Members to devote full time to duties of office. Salaries. Proviso.

Section 2. Chapter one hundred and twelve of the General Laws is hereby amended by inserting after section eighty-seven E, inserted therein by section two of chapter four hundred and seventy of the acts of nineteen hundred and twenty-three, the following fourteen new sections, under the following heading: — G. L. 112, fourteen new sections after § 87E.

REGISTRATION OF BARBERS.

Section 87F. The following words, as used in the following thirteen sections, unless the context otherwise requires, shall have the following meanings: — Definitions.

"Barber", any person who, personally or by any other person, for compensation, shaves or trims the beard, cuts the hair, gives facial and scalp massaging, facial and scalp treatments with oils and creams and other preparations made for that purpose, either by hand or by mechanical appliances, singes and shampoos the hair or applies any make of hair tonics, and/or dyes the hair, of any male person; "Barber".

"Board", board of registration of barbers; "Board"

"Cosmetologist", any person, who, with hands or mechanical or electrical apparatus or appliances, or by the use of cosmetic preparations, antiseptics, tonics, lotions, or creams, engages for compensation in any one or any combination of the following practices, to wit: — Massaging, cleansing, stimulating, manipulating, exercising, beautifying the scalp, face, neck, arms, bust or upper part of the body, or manicuring the nails, or removing of superfluous hair, by the use of electricity or otherwise, about the body of any female, but not about the body of any male. "Cosmetologist".

Board to hold examinations of applicants for registration as barbers.

Section 87G. The board shall hold practical examinations, to be held in cities in different parts of the commonwealth, distributed as evenly as possible for the convenience of the applicants, and such other examinations at such times and places as the board may, from time to time, determine, of applicants for registration as barbers, and such applicants, if found qualified, shall be registered by the board as barbers.

To keep record of proceedings.

To keep certain registers.

The board shall keep a full record of its proceedings. It shall also keep a register of applicants for certificates of registration, showing the name of the applicant, the name and location of his place of occupation or business, and whether he was granted or refused a certificate, a register in which shall be entered the names of all persons to whom certificates of registration or permits, other than permits referred to in section eighty-seven I, are issued or granted, and a register of apprentices and students to whom permits have been granted under section eighty-seven I; and said registers shall be at all times open to public inspection.

Annual report.

The board shall make an annual report, which shall include an itemized statement of all receipts and expenses of the board for the year.

Requirements for issue of certificate of registration.

Section 87H. Any person desiring to obtain a certificate of registration shall make application to the board therefor, pay to the secretary thereof a fee of ten dollars and furnish to the board a certificate of a registered physician as to the freedom of the applicant from infectious and contagious diseases, and shall present himself at the next regular meeting of the board for the examination of applicants, or at a later meeting of the board if it so votes, and thereupon, if he shows that he has studied and practiced the occupation of barbering for two years as an apprentice under one or more registered barbers, or for at least six months in a properly equipped and conducted barber school or barber college under the instruction of a registered barber and eighteen months as an apprentice under a registered barber, or practiced such occupation for at least two years in this and/or other states, and that he is possessed of the requisite skill in such occupation to perform properly all the duties thereof, including the preparation of the tools, shaving, haircutting and all the duties and services incident thereto, and has sufficient knowledge concerning diseases of the face and skin to avoid the aggravation and spreading of such diseases in the practice of such occupation, the board shall issue to him a certificate of registration, signed by the chairman and the secretary and attested by its seal. Such certificate shall be evidence that the person to whom it is issued shall, subject to section eighty-seven J, be entitled to follow the practice of the occupation referred to therein.

Permit to certain persons to practice the occupation of barbering until, etc.

Proviso.

Each person making application for examination hereunder shall be allowed to practice the occupation of barbering until the next meeting of the board, and the board shall grant without charge a permit authorizing him to practice such occupation until such next meeting; provided,

that the board may, in its discretion, extend such permits until the date of a subsequent meeting of the board.

Section 87I. Nothing in sections eighty-seven F to eighty-seven R, inclusive, shall prohibit any person from serving in this commonwealth as an apprentice in such occupation under a registered barber or from serving therein as a student in any barber school or barber college under the instruction of a registered barber; provided, that such registered barber, or the person owning or operating such barber school or barber college, shall immediately report in writing to the board the name and age of each apprentice or student working under his direction or training, and shall furnish to the board a certificate of a registered physician that said apprentice or student is not afflicted with any contagious or infectious disease. Thereupon, and upon the payment of a fee of five dollars by the person operating or conducting such school or college, or by such apprentice, as the case may be, the name of such apprentice or student shall be entered in a register of the board for the registering of apprentices and students, and the board may grant to him a permit to practice as an apprentice under a registered barber or as a student in a barber school or barber college under the instruction of a registered barber. After having so practiced for two years under a registered barber, or six months in a properly equipped and conducted barber school or barber college under the instruction of a registered barber and eighteen months under a registered barber, and upon payment of the required fee for examination, such apprentice or student shall be eligible for examination by the board for registration as a barber.

Persons not prohibited from serving as apprentice under registered barber or as student in barber school, etc.

Proviso.

Permit to practice as apprentice or as student in a barber school, etc.

Eligibility for examination, when.

Section 87J. The board shall furnish without charge to each person to whom a certificate of registration is issued a card or insignia bearing the seal of the board and the signatures of its officers, certifying that the holder thereof is entitled to practice the occupation of barbering in this commonwealth during the calendar year in which it was issued. Such card or insignia shall be posted by the holder in a conspicuous place in front of his working chair where it may be readily seen. The card or insignia held by any person whose certificate of registration has been properly renewed shall be renewed annually without charge on or before the first day of January upon the presentation of a certificate from a registered physician as to the freedom from contagious or infectious disease of the holder of such card or insignia. If any holder of a certificate of registration fails to apply for a renewal of his card or insignia on or before the first day of January in any year, said certificate of registration may be revoked by the board.

Board to furnish card or insignia to persons to whom a certificate of registration is issued, etc.

To be posted by holder.

To be renewed annually.

Section 87K. The board shall make such reasonable rules and regulations as are necessary for the proper conduct of its business, and especially to provide for the sanitary regulation, subject to the approval of the state department of public health, of barber shops, barber schools and barber

Rules and regulations.

colleges, and the training of apprentices and of students therein. Each member of the board may enter any barber shop during business hours for the purpose of inspecting such shop. Whenever a complaint is made to the board that any barber shop is kept in an unsanitary condition, or that infectious or contagious disease has been imparted thereat, a member of the board shall visit and inspect such shop and enforce the provisions of sections eighty-seven F to eighty-seven R, inclusive. If, upon such inspection, any such shop shall be found to be in an unsanitary condition or it is determined by a member of the board that infectious or contagious disease has been imparted to any person thereat, the board shall immediately notify the district health officer and such shop shall be quarantined and no barber employed therein shall, unless so authorized by the board, practice his occupation until such quarantine shall have been removed by said health officer.

Inspection of barber shops.

Barber shops to be quarantined, etc., if found to be in an unsanitary condition, etc.

Section 87L. The board may suspend, for not exceeding six months, the certificate of registration of any barber for habitual drunkenness, for having epilepsy or other disease endangering the health or safety of persons whom he may serve, for failure to comply with sanitary rules or regulations of the board approved by the state department of public health, or for having imparted any contagious or infectious disease, or may revoke such certificate upon proof of any violation of its rules and regulations; provided, that before any certificate shall be so suspended or revoked, the holder thereof shall have had notice in writing of the charge or charges against him, and at a day specified in said notice, at least five days after the service of notice thereof, shall have been given a public hearing and an opportunity to present testimony in his behalf, and to confront the witnesses against him. Any person whose certificate of registration has been so revoked may apply to have a new certificate of registration granted to him, and, upon satisfactory proof that the disqualification of such person has ceased, and that he is a proper person to be registered as a barber, the board shall grant to him a new certificate of registration.

Suspension or revocation of certificate of registration.

Proviso.

Application for new certificate of registration.

Section 87M. The board may require the attendance and testimony of witnesses and the production of such books, records and papers as it desires at any hearing or in any matter which it has authority to investigate, and for that purpose the secretary may issue a subpoena for any witness or a subpoena duces tecum to compel the production of any books, records or papers. Fees and mileage shall be the same as those allowed in the superior court in criminal cases and shall be paid from the fund in the state treasury for the use of the board, in the same manner as the compensation and expenses of the board are paid.

Board may require the attendance and testimony of witnesses, etc.

Section 87N. Any person aggrieved by any action of the board refusing to grant, or suspending or revoking, a certificate of registration or a permit for any cause, may, within ten days after such action, appeal to the superior court of

Appeal to superior court.

the county wherein he resides, and the decision of said court shall be final. Court decision final.

Section 87O. Fees referred to in sections eighty-seven F to eighty-seven R, inclusive, shall be paid in advance to the secretary of the board, who shall pay them monthly to the state treasurer; and such fees shall thereafter be held by the state treasurer as a fund for the use of the board. Fees, to whom paid.

Section 87P. Any school or college where tuition or fees are charged for teaching the occupation of barbering shall be considered a barber school or barber college under sections eighty-seven F to eighty-seven R, inclusive, and all said schools or colleges shall keep prominently displayed at the entrance a sign "Barber School" or "Barber College", as the case may be. Any person desiring to operate or conduct a barber school or barber college within this commonwealth shall first secure from the board a permit to do so, and shall keep such permit prominently displayed in such school or college, and shall before commencing business give to the state treasurer a bond, in such amount and with such sureties as shall be determined and approved by the governor and council, conditioned upon the faithful compliance by himself in the conduct of said school or college with all the provisions of said sections and of all rules and regulations made under authority thereof, and to pay all judgments that may be obtained against said school or college or the owners or managers thereof on account of fraud, misrepresentation or deceit practiced by themselves, their agents, servants or employees. The board may from time to time examine into the qualifications, appointments, course of study and hours of study in any such school or college, and may suspend or revoke the certificate of registration of the person operating or conducting such school or college or of any registered barber acting as instructor or teacher therein, or the permit of any such school or college, for the violation of any of said sections or of any rule or regulation made under authority thereof. Barber school or barber college defined. To keep displayed certain signs. Permit to conduct a barber school or barber college. Bond. Board may examine into course of study, etc., in any such school or college. Suspension or revocation of permit for violation of any rule, etc.

Section 87Q. Each certificate of registration issued by the board shall expire on the thirty-first day of December next succeeding its date. The board may renew any such registration, and issue a certificate thereof, upon the payment of an annual renewal fee of two dollars. Any person holding such a certificate which has expired may, within three years of the date of expiration, upon payment of a fee of two dollars and upon furnishing satisfactory proof of his qualifications to resume the practice of his occupation, receive from the board a new certificate of registration. Certificate of registration, expiration. Renewal fee. New certificate of registration, fee.

Section 87R. Whoever engages in or follows, or attempts to engage in or follow, the occupation of barbering, or conducts or attempts to conduct a barber school or barber college, unless so authorized to do by the board, or falsely pretends to be qualified to practice such occupation, or violates any provision of sections eighty-seven F to eighty-seven R, inclusive, or any rule or regulation made under authority Penalty for unlawfully engaging in occupation of barbering, etc.

thereof, shall, in addition to any other penalty prescribed or authorized by said sections, be punished by a fine of not more than one hundred dollars or by imprisonment for not more than ninety days, or both.

Sections 87F to 87R, inclusive, how construed.

Section 87S. Nothing in sections eighty-seven F to eighty-seven R, inclusive, shall be construed to refer to a beauty shop, so called, or a hairdressing parlor, so called, patronized exclusively by females, or to a cosmetologist, as defined in section eighty-seven F.

Board of registration of barbers, appointment, terms, etc.

SECTION 3. In the month of December in the current year the governor, with the advice and consent of the council, shall appoint three persons, citizens of the commonwealth, to serve as the board of registration of barbers hereinbefore established, of whom one shall serve for the term of one year, one for the term of two years and one for the term of three years, as the governor may designate, from the first day of January following. Upon the expiration of their respective terms, their successors shall be appointed as hereinbefore provided.

Certain persons entitled to receive certificate of registration from board.

SECTION 4. Any person who, before the effective date of this act, is engaged in the actual and continuous practice of the occupation of barbering in this commonwealth shall, without any examination, be entitled to receive from the board hereinbefore referred to a certificate of registration to practice such occupation; and any person who, prior to said effective date, was an apprentice or student of said occupation shall be credited by said board with the time spent as such apprentice or student; provided, that an affidavit setting forth the name, age, residence and length of time during which and the place or places at which such person has practiced said occupation or has been an apprentice or student, a certificate of a registered physician as to the freedom from infectious or contagious disease of such person, and an application for such certificate of registration or for such credit, is filed with said board by such person within ninety days of said effective date and is accompanied by a fee of two dollars.

Proviso.

Invalidity or unconstitutionality of any section or subdivision not to affect any other section or subdivision.

SECTION 5. Each section and each subdivision of each section of this act is hereby declared to be separate and distinct, and the invalidity or unconstitutionality of any such section or subdivision shall not be deemed to affect any other section or subdivision.

Section 3, effective date.

Remainder, effective date.

SECTION 6. Section three of this act shall take effect on the first day of December in the current year, and the remainder shall take effect on the first day of January in the year nineteen hundred and thirty-two.

Act not applicable to certain cities and towns, nor to certain counties.

SECTION 7. The provisions of this act shall not apply to the cities and towns comprising the first Bristol senatorial district, nor to the counties of Barnstable, Dukes County or Nantucket.

Approved June 9, 1931.

An Act to provide for a voluntary plan of part-time service and measured compensation for certain associate judges of the land court after fifteen years of service. *Chap.* 419

Be it enacted, etc., as follows:

Section 1. Section two of chapter one hundred and eighty-five of the General Laws, as amended by section one of chapter two hundred and seventy-one of the acts of nineteen hundred and twenty-four, is hereby further amended by adding at the end thereof the following: — , and, in addition thereto, such associate judges as shall have retired to part-time service under section two A, — so as to read as follows: — *Section 2.* There shall be three judges of the court, one of whom shall be appointed, commissioned and qualified as judge and the other two as associate judges, and, in addition thereto, such associate judges as shall have retired to part-time service under section two A. G. L. 185, § 2, etc., amended. Judges of land court, number. Part-time service for certain associate judges.

Section 2. Said chapter one hundred and eighty-five is hereby amended by inserting after section two the following new section: — *Section 2A.* An associate judge of the land court who has reached the age of sixty-five years and has served as judge or associate judge of said court for at least fifteen years may, at his request, with the approval of the governor and council, retire to part-time service in said court, subject to the call of the judge thereof. Thereafter such associate judge shall not be required under his commission to serve as an associate judge for more than one half time and for such service he shall receive from the commonwealth one half of the full salary provided in section fourteen for an associate judge of said court. The judge may also call upon an associate judge so retired for more than half-time service if he is able and willing so to serve, and to the extent of the service so rendered he shall receive, upon certificate of the judge, an additional proportionate amount of the full salary of an associate judge. G. L. 185, new section after § 2. Certain associate judges of land court may retire to part-time service in said court, subject to call of judge thereof, etc. Salary.

Section 3. Section fourteen of said chapter one hundred and eighty-five, as most recently amended by section four of chapter four hundred and eighteen of the acts of nineteen hundred and thirty, is hereby further amended by inserting after the word "dollars" in the third line the words: — , except as provided in section two A, — so that the first sentence will read as follows: — The judge and associate judges of the land court shall each receive a salary of ten thousand dollars, except as provided in section two A, and each shall annually receive, upon the certificate of the judge, the amount of the expenses incurred by him in the discharge of his duties, to be paid by the commonwealth. G. L. 185, § 14, etc., amended. Judge and associate judges of land court, salaries, etc.

Approved June 9, 1931.

Chap. 420 AN ACT RELATIVE TO THE SUPPORT OF DEPENDENT PARENTS OF INSANE PERSONS UNDER GUARDIANSHIP.

Be it enacted, etc., as follows:

G. L. 201, new section after § 43.

Support of dependent parents of insane persons under guardianship.

Chapter two hundred and one of the General Laws is hereby amended by inserting after section forty-three the following new section: — *Section 43A.* The probate court, upon the application of the guardian or dependent parent of an insane person, and after such notice to all other persons interested as it directs, may authorize such guardian to apply towards the support of such dependent parent such portion of the estate of such insane person not required for his own maintenance and support as it may order.

Approved June 9, 1931.

Chap. 421 AN ACT RELATIVE TO THE APPLICATION OF PAYMENTS RECEIVED FOR THE ADMISSION OF TOWNS TO THE METROPOLITAN WATER DISTRICT AND FOR FURNISHING WATER TO CERTAIN TOWNS AND WATER COMPANIES BY THE METROPOLITAN DISTRICT COMMISSION.

Be it enacted, etc., as follows:

G. L. 92, § 10, etc., amended.

Chapter ninety-two of the General Laws, as amended in section ten by chapter one hundred and eighty-nine of the acts of nineteen hundred and twenty-eight, is hereby further amended by striking out said section ten and inserting in place thereof the following: — *Section 10.* The commission shall construct, maintain and operate a system of metropolitan water works and shall provide thereby a sufficient supply of pure water for the following named towns and the inhabitants thereof: Arlington, Belmont, Boston, Brookline, Chelsea, Everett, Lexington, Malden, Milton, Medford, Melrose, Nahant, Newton, Quincy, Revere, Somerville, Stoneham, Swampscott, Watertown and Winthrop, which shall be the metropolitan water district; shall secure and protect the purity of said water; shall on application furnish water to any town aforesaid that at the time of application owns its water pipe system; shall on application admit any other town, any part of which is within ten miles of the state house, into said water district, and furnish water to the same on the terms prescribed by this chapter for the towns aforesaid, and on payment of such sum or sums upon such terms as the commission may determine; shall on application furnish water to any water company owning the water pipe system in any town within said ten miles, on such water company assuming the assessments of the town, if any, and making such payment as the commission may determine; and in case of fire or other emergency may furnish water to any town or water company, on such payment as the commission may determine; provided, that any such town last referred to shall first have acquired the works of any water company therein situated, constructed for the purpose of supplying said town or its

Construction and maintenance of water works by metropolitan district commission.

Furnishing water in and beyond district, etc.

Proviso.

inhabitants with water. The commission shall furnish water to the town or company, by delivering it into a main water pipe, reservoir or tank of the town or company, under sufficient pressure for use without local pumping, unless delivered in some other manner by mutual agreement between the parties interested; and shall have the direction and control of the connections between the metropolitan and local systems.

Furnishing water to certain towns or water companies.

The commission may furnish water to any town or water company owning the water pipe system in a section of a town, for the supply of such section, although the town, or a part thereof, is within ten miles of the state house, and the town has not been admitted into the metropolitan water district, on payment by the town or water company of such sum as the commission may determine; provided, that the sum so determined in any case shall, in the opinion of the commission, exceed the proper proportion of the entire assessment which would be imposed upon the town were it a part of said district.

Proviso.

Commission may sell and deliver water to any concentration camp established in commonwealth by the United States, etc.

The commission may, subject to all the provisions relating to the construction, operation and maintenance by said commission of a water supply system set forth in this chapter, sell and deliver water from any of the reservoirs or aqueducts of the metropolitan water system to any concentration camp established in the commonwealth by the United States, and lay and maintain such pipe lines and other works necessary therefor, upon terms and conditions to be agreed upon by the duly authorized officer or representative of the United States government and said commission.

Payments, how appropriated.

All payments made as aforesaid for admission of towns and for furnishing water to water companies and to towns or water companies for the supply of sections of a town, and for selling and delivering water to any concentration camp shall be appropriated to the payment of the cost incurred by the district in connecting such town or section of a town, water company or concentration camp with the metropolitan water system, and the balance after such cost is paid, as well as all other payments for furnishing water to a town or water company in case of fire or other emergency, or as otherwise authorized, except payments as annual assessments by towns or water companies, shall be applied by the state treasurer to the sinking fund established for the payment of bonds, or to the payment of serial bonds, issued on account of the metropolitan water district. All payments made as annual assessments either by towns or water companies shall be applied as provided in section twenty-five.

Balance, how applied.

Approved June 9, 1931.

Chap. 422 AN ACT PROVIDING FOR THE CONSTRUCTION BY THE CITY OF BOSTON OF A STRANDWAY ALONG THE WATERFRONT IN THE EAST BOSTON DISTRICT OF SAID CITY.

Be it enacted, etc., as follows:

The park department of the city of Boston may lay out and construct a parkway or boulevard along the East Boston waterfront, etc.

SECTION 1. The park department of the city of Boston may, with the approval of the mayor of said city, lay out and construct or order constructed a parkway or boulevard along the East Boston waterfront, beginning at a point in World War Memorial park in the East Boston district of said city at or near the terminus of Neptune road, thence over public or private lands, public parks or reservations or public or private ways easterly of the location of the Boston, Revere Beach and Lynn railroad and along or adjacent to Bayswater street to a point in Saratoga street westerly of the bridge over Belle Isle inlet.

May use public lands, etc.

SECTION 2. To carry out the work authorized hereunder, said park department may use public lands or may take private lands or interests therein by right of eminent domain.

City treasurer to issue and sell serial bonds of city, etc.

SECTION 3. For the purpose of meeting the cost of the work authorized hereunder, not exceeding, however, one million dollars, the treasurer of said city without any other authority than that herein contained shall, from time to time, on request of the mayor of the city, issue and sell at public or private sale serial bonds of the city to an amount necessary to meet said cost. Said bonds shall be outside the statutory limit of indebtedness of said city. Each authorized issue of bonds shall constitute a separate loan. The bonds shall be designated on their face, City of Boston, East Boston Waterfront Strandway Loan, Act of 1931, and shall be in such form of coupon or registered bonds as said treasurer shall determine; shall be for such terms not exceeding twenty years from the date of issue as the mayor of the city shall designate; shall bear interest in accordance with the provisions of chapter fifty-two of the Special Acts of nineteen hundred and eighteen; and shall be payable by such annual payments as will extinguish the same at maturity. The first of said annual payments on account of any loan shall be made not later than one year after the date of the bonds issued therefor. The amount of said payments in any one year on account of such loan shall not be less than the amount of the principal of the loan payable in any subsequent year. Said annual amounts, together with the interest on the loan, shall without further action be assessed until the debt is extinguished. Said treasurer shall hold the proceeds of said bonds in the treasury of the city, and shall pay therefrom the sums necessary to meet said cost. Any premiums received from the sale of said bonds less the cost of preparing and issuing the same shall be applied to the payment of the principal of the first bond or bonds to mature. The said treasurer may, with the approval of the mayor of said city, make a temporary loan for a period of not more than one year in anticipation of the money to be derived from the

City of Boston, East Boston Waterfront Strandway Loan, Act of 1931.

Temporary loan, etc.

sale of any issue of said bonds, and may issue notes of the city therefor, and such notes may be refunded by the issue of new notes maturing with said year; but the period of the permanent loan herein authorized shall not be extended by reason of the temporary loan.

Section 4. This act shall take effect upon its acceptance during the current year by vote of the city council of said city, subject to the provisions of its charter, but not otherwise. *Approved June 9, 1931.*

Submission to city council, etc.

An Act providing for the care, control and maintenance by the metropolitan district commission of certain bridges over the Charles river. *Chap.* 423

Be it enacted, etc., as follows:

Section 1. The metropolitan district commission is hereby authorized and directed to take over the care, control and maintenance of the following named bridges and their approaches, and shall have over the same all the powers and authority and be subject to the liability now conferred and imposed upon said commission in respect to the care, control and maintenance of roadways and boulevards under its care and control: (1) The bridge between the city of Boston and the city of Cambridge, known as the River street–Cambridge street bridge; (2) The bridge between said cities, known as the Western avenue bridge; (3) The bridge between said cities, known as the Larz Anderson bridge.

Care, control and maintenance by the metropolitan district commission of certain bridges over the Charles river.

The approaches of said bridges lying in Boston shall be deemed to extend from the Boston ends thereof across the Soldiers' Field road to the further line thereof and those lying in Cambridge shall be deemed to extend from the Cambridge ends thereof across Memorial drive to the further line thereof.

Extension of approaches of bridges.

Section 2. Said bridges and their approaches shall be maintained as public highways, and the cost of maintenance thereof shall be paid as a part of the cost of maintenance of boulevards by said commission. *Approved June 9, 1931.*

Bridges and approaches to be maintained as public ways, etc.

An Act providing for the extension of certain sea walls and other shore protection in the town of Scituate. *Chap.* 424

Be it enacted, etc., as follows:

Section 1. Subject to the conditions herein imposed, the department of public works is hereby authorized and directed to build extensions to certain sea walls and other shore protection in the town of Scituate for the purpose of protecting the shore in said town from erosion by the sea. No work shall be begun until the town of Scituate has assumed liability, in the manner provided by section twenty-nine of chapter ninety-one of the General Laws, for all damages that may be incurred hereunder, nor until there has been paid into the

Department of public works may build extensions to certain sea walls and other shore protection in the town of Scituate.

No work until, etc.

treasury of the commonwealth by the county of Plymouth the sum of twelve thousand five hundred dollars, and by said town of Scituate the sum of twenty-five thousand dollars, which together with such sum, not exceeding thirty-seven thousand five hundred dollars, as may hereafter be appropriated by the commonwealth, shall constitute a fund for the improvements herein authorized; provided, that the total cost of such improvement shall not exceed seventy-five thousand dollars; and provided, further, that if any of the aforesaid sum remains after the completion of such improvements one sixth of such remainder shall be repaid to said county and one third of such remainder shall be repaid to said town.

Provisos.

County treasurer may borrow money, issue bonds, etc.

Section 2. For the purpose of meeting the payments required to be made by the county of Plymouth under this act, the treasurer of said county, with the approval of the county commissioners, may borrow from time to time, on the credit of the county, such sums as may be necessary, not exceeding, in the aggregate, twelve thousand five hundred dollars, and may issue bonds or notes of the county therefor, which shall bear on their face the words, Plymouth County — Scituate Sea Wall Loan, Act of 1931. Each authorized issue shall constitute a separate loan, and such loans shall be payable in not more than five years from their dates. Such bonds or notes shall be signed by the treasurer of the county and countersigned by a majority of the county commissioners. The county may sell the said securities at public or private sale upon such terms and conditions as the county commissioners may deem proper, but not for less than their par value. Indebtedness incurred under this act shall, except as herein provided, be subject to chapter thirty-five of the General Laws.

Plymouth County — Scituate Sea Wall Loan, Act of 1931.

County treasurer may issue temporary notes, etc.

Section 3. The county treasurer, with the approval of the commissioners, may issue temporary notes of the county, payable in not more than one year from their dates, in anticipation of the issue of serial bonds or notes under the preceding section, but the time within which such serial bonds or notes shall become due and payable shall not, by reason of such temporary notes, be extended beyond the time fixed by said section. Any notes issued in anticipation of the serial bonds or notes shall be paid from the proceeds thereof.

Town of Scituate may borrow money, issue notes, etc.

Section 4. For the purpose of meeting the payments required to be made by the town of Scituate under this act, said town may borrow from time to time such sums as may be necessary, not exceeding, in the aggregate, ten thousand dollars, and may issue notes therefor, which shall bear on their face the words, Town of Scituate, Sea Wall Loan, Act of 1931. Each authorized issue shall constitute a separate loan, and such loans shall be paid within five years from their dates. Indebtedness incurred by said town under this act shall be in excess of the statutory limit, but shall, except as herein provided, be subject to chapter forty-four of the General Laws.

Town of Scituate, Sea Wall Loan, Act of 1931.

Effective upon acceptance by Plymouth county com-

Section 5. This act shall take full effect upon its acceptance during the current year by vote of the county commis-

sioners of Plymouth county and by vote of the town of Scituate in town meeting and the filing in the office of the said department of certified copies of said votes. So much thereof as provides for acceptance as aforesaid shall take effect upon its passage. *Approved June 9, 1931.*

missioners and by vote of town of Scituate, etc.

An Act establishing the west warren water district. *Chap.* 425

Be it enacted, etc., as follows:

Section 1. The inhabitants of that part of the town of Warren, known as West Warren, liable to taxation in said town and residing within the territory comprised within the following boundary lines, to wit: Beginning at the southwest corner of land of John and Julia Dwanski located at the intersection of A street and the way known as Pluta street; thence running southeasterly to a point on South street, being the southeast corner of land of W. B. Baldiga located on the westerly side of said South street; thence running northeasterly and crossing said South street to the reservoir of the Thorndike Company on the westerly slope of Marks mountain; thence running northerly and crossing the Quaboag river and the location of the Boston and Albany Railroad to the northeast corner of the northernmost parcel of land of Cheney E. Cook located on Highland street; thence running northwesterly to the northwesterly corner of land of Szymon Putz located on Dean street; thence running northwesterly in prolongation of the same line to a point on the easterly side of School street; thence running southwesterly and crossing Ware road and West Main street to the northwest corner of land of Weir located on West Main street; thence running southerly along the westerly boundary of said Weir's land to the northern bank of the Quaboag river; and thence running southeasterly and crossing the Quaboag river and the location of said railroad to the point of beginning, — shall constitute a fire and water district, and are hereby made a body corporate by the name of the West Warren Water District, hereinafter called the district, for the purpose of supplying themselves with water for the extinguishment of fires and for domestic and other purposes, with power to establish fountains and hydrants and to relocate and discontinue the same, to regulate the use of such water and to fix and collect rates to be paid therefor, for assessing and raising taxes as provided herein for the payment of such services, and for defraying the necessary expenses of carrying on the business of said district, subject to all general laws now or hereafter in force relating to such districts, except as otherwise provided herein.

West Warren Water District established.

Section 2. For the purposes aforesaid, said district, acting by and through its board of water commissioners hereinafter provided for, may take by eminent domain under chapter seventy-nine of the General Laws, or acquire by lease, purchase, or otherwise, and hold, the waters, or

May take certain waters, etc.

any portion thereof, of any pond, spring or stream, or of any ground source of supply by means of driven, artesian or other wells within the town of Warren, not already appropriated for the purposes of a public water supply by the Warren Water District, and the water rights connected with any such sources, and for said purposes may take as aforesaid, or acquire by purchase or otherwise, and hold, the mains, pipes or other equipment of any corporation now supplying the district created hereunder; and for such purposes may take as aforesaid, or acquire by purchase or otherwise, and hold, all lands, rights of way and other easements necessary for collecting, storing, purifying and preserving the purity of the water, and for conveying the same to any part of the said district; provided, that no source of water supply or lands necessary for preserving the quality of the water shall be so taken or used without first obtaining the advice and approval of the state department of health, and that the location of all dams, reservoirs, and wells to be used as sources of water supply under this act shall be subject to the approval of said department. Said district may construct on the lands acquired and held under this act proper dams, reservoirs, standpipes, tanks, buildings, fixtures and other structures, and may make excavations, procure and operate machinery and provide such means and appliances, and do such other things as may be necessary for the establishment and maintenance of complete and effective water works; and for that purpose may construct wells and reservoirs and establish pumping works, and may construct, lay and maintain aqueducts, conduits, pipes and other works under or over any land, water courses, railroads, railways and public or other ways, and along such ways, in said town, in such manner as not unnecessarily to obstruct the same; and for the purposes of constructing, laying, maintaining, operating and repairing such conduits, pipes and other works, and for all proper purposes of this act, said district may dig up or raise and embank any such lands, highways or other ways in such manner as to cause the least hindrance to public travel on such ways; provided, that all things done upon any such way shall be subject to the direction of the selectmen of the town of Warren. Said district shall not enter upon, construct or lay any conduit, pipe or other works within the location of any railroad or railway corporation except at such time and in such manner as it may agree upon with such corporation, or in case of failure so to agree, as may be approved by the department of public utilities.

May take certain lands, etc.

Proviso.

May construct dams, reservoirs, etc.; make excavations, etc.

May construct wells, etc., lay aqueducts, conduits, etc.

May dig up and embank lands, highways, etc.

Proviso.

Requirements for entry upon railroad locations.

SECTION 3. Any person sustaining damages in his property by any taking under this act or any other thing done under authority thereof may recover such damages from said district under said chapter seventy-nine; but the right to damages for the taking of any water, water right or water source, or for any injury thereto, shall not vest until water is actually withdrawn or diverted under authority of this act.

Property damages, recovery, etc.

District may borrow money, issue bonds, etc.

Section 4. For the purpose of paying the necessary expenses and liabilities incurred under the provisions of this act, other than expenses of maintenance and operation, the said district may borrow from time to time such sums as may be necessary, not exceeding, in the aggregate, fifty thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, West Warren Water District Loan, Act of 1931. Each authorized issue shall constitute a separate loan, and such loans shall be payable in not more than thirty years from their dates. Indebtedness incurred under this act shall be subject to chapter forty-four of the General Laws.

West Warren Water District Loan, Act of 1931.

Payment of loan, etc.

Section 5. The said district shall, at the time of authorizing said loan or loans, provide for the payment thereof in accordance with section four of this act; and when a vote to that effect has been passed, a sum which, with the income derived from water rates, will be sufficient to pay the annual expense of operating its water works and the interest as it accrues on the bonds or notes issued as aforesaid by the district, and to make such payments on the principal as may be required under the provisions of this act, shall without further vote be assessed upon said district by the assessors of said town of Warren annually thereafter until the debt incurred by said loan or loans is extinguished.

Land acquired to be managed, etc., by board of water commissioners.

Section 6. Any land taken or acquired under this act shall be managed, improved and controlled by the commissioners hereinafter provided for, in such manner as they shall deem for the best interest of the district. All authority vested in said commissioners by this section shall be subject to the provisions of section nine.

Assessment and collection of taxes.

Section 7. Whenever a tax is duly voted by said district for the purposes of this act, the clerk shall send a certified copy of the vote to the assessors of said town, who shall assess the same in the same manner in all respects in which town taxes are required by law to be assessed. The assessment shall be committed to the town collector, who shall collect said tax in the manner provided by law for the collection of town taxes, and shall deposit the proceeds thereof with the district treasurer for the use and benefit of said district. Said district may collect interest on overdue taxes in the manner in which interest is authorized to be collected on town taxes.

Meeting, how called.

Section 8. A meeting of the voters of the territory included within the boundaries set forth in section one shall be called, on petition of ten or more legal voters therein, by a warrant from the selectmen of said town, or from a justice of the peace, directed to one of the petitioners, requiring him to give notice of the meeting by posting copies of the warrant in two or more public places in the district seven days at least before the time of the meeting. Such justice of the peace, or one of the selectmen, shall preside at such meeting until a clerk is chosen and sworn, and the clerk shall preside until a moderator is chosen. After the choice of a moderator

for the meeting the question of the acceptance of this act shall be submitted to the voters, and if it is accepted by a majority of the voters present and voting thereon it shall take effect, and the meeting may then proceed to act on the other articles in the warrant.

Board of water commissioners, election, terms, powers.

SECTION 9. Said district shall, after the acceptance of this act as aforesaid, elect by ballot, either at the same meeting at which this act is accepted or at a special meeting called for the purpose, three persons to hold office, one until the expiration of three years, one until the expiration of two years, and one until the expiration of one year from the day of the next succeeding annual district meeting, to constitute a board of water commissioners; and at every annual meeting thereafter one such commissioner shall be elected by ballot for the term of three years. All the authority granted to said district by this act, and not otherwise specifically provided for, shall be vested in said board of water commissioners, who shall be subject, however, to such instructions, rules and regulations as the district may by vote impose. At the meeting at which said commissioners are first elected and at each annual district meeting, said district shall elect by ballot a treasurer of said district, who shall be other than a commissioner, and who shall give bond to said district in such an amount and with such surety or sureties as may be approved by the commissioners. A majority of the commissioners shall constitute a quorum for the transaction of business. Any vacancy occurring in said board from any cause may be filled for the remainder of the unexpired term by said district at any legal meeting called for the purpose. No money shall be drawn from the treasury of said district on account of the water works except upon a written order of said commissioners or a majority of them.

Quorum.

Vacancy.

Commissioners to fix water rates, etc.

Income, how used.

Net surplus, how used.

SECTION 10. Said commissioners shall fix just and equitable prices and rates for the use of water, and shall prescribe the time and manner of payment. The income of the water works shall be appropriated to defray all operating expenses, interest charges and payments of principal accruing upon any bonds or notes issued under authority of this act. If there should be a net surplus remaining after providing for the aforesaid charges, it may be appropriated for such new construction as said commissioners may recommend, and in case a surplus should remain after payment for such new construction the water rates shall be reduced proportionately.

Annual, etc., report.

Said commissioners shall annually, and as often as said district may require, render a report upon the condition of the works under their charge, and an account of their doings, including an account of receipts and expenditures.

Adoption of by-laws, calling of meetings, etc.

SECTION 11. Said district may adopt by-laws prescribing by whom and how meetings may be called, notified and conducted; and, upon the application of ten or more legal voters of said district, meetings may also be called by warrant as provided in section eight. Said district may also

establish rules and regulations for the management of its water works, not inconsistent with this act or with law, and may choose such other officers not provided for in this act as it may deem necessary or proper. Said district shall have all the rights and privileges conferred by law upon water districts and fire districts, so far as applicable.

Penalty for polluting water, etc.

Section 12. Whoever wilfully or wantonly corrupts, pollutes or diverts any water obtained or supplied under this act, or wilfully or wantonly injures any reservoir, well, standpipe, aqueduct, pipe or other property owned or used by said district for any of the purposes of this act, shall forfeit and pay to said district three times the amount of damages assessed therefor, to be recovered in an action of tort, and upon conviction of any of the above acts shall be punished by a fine not exceeding one hundred dollars or by imprisonment in jail for a term not exceeding six months.

Referendum to voters on question of including certain real estate within district, etc.

Section 13. Upon a petition in writing addressed to said commissioners by any owner of real estate in said town, abutting on said district, setting forth that the petitioner desires to have certain accurately described portions of his real estate included in said district, said commissioners shall cause a duly warned meeting of said district to be called, at which meeting the voters may vote on the question of including said real estate within said district. If a majority of the voters present and voting thereon vote in the affirmative, the district clerk shall within ten days file with the town clerk of said town and with the state secretary an attested copy of said petition and vote, describing precisely the real estate added to said district; and thereupon said real estate shall become and be a part of said district and shall be holden under this act in the same manner and to the same extent as the real estate described in section one.

Submission to voters of district, etc.

Section 14. For the purpose only of its acceptance, this act shall take effect upon its passage, and it shall take full effect upon its acceptance by a majority vote of the voters of said district present and voting thereon at a district meeting called, in accordance with the provisions of section eight, within one year after its passage; but the number of meetings so called in said year shall not exceed three. This act shall become void, unless said district shall begin to distribute water to consumers within one year after its acceptance as aforesaid. *Approved June 9, 1931.*

Act void unless, etc.

An Act eliminating certain obsolete provisions from the general laws and making certain further corrections and adjustments therein. *Chap.* 426

Be it enacted, etc., as follows:

Obsolete Provisions.

G. L. 15, § 7, repealed.

Section 1. Section seven of chapter fifteen of the General Laws is hereby repealed.

G. L. 29, § 33, as amended, repealed.

Section 2. Section thirty-three of chapter twenty-nine of the General Laws, as amended by section thirty-one of

chapter three hundred and sixty-two of the acts of nineteen hundred and twenty-three, is hereby repealed.

G. L. 30, § 10, amended.

Section 3. Section ten of chapter thirty of the General Laws is hereby amended by striking out the first sentence.

G. L. 35, § 17, repealed.

Section 4. Section seventeen of chapter thirty-five of the General Laws is hereby repealed.

G. L. 35, § 18, amended.

Section 5. Section eighteen of said chapter thirty-five is hereby amended by striking out, in the first line, the word "seventeen".

G. L. 63, § 14, as amended, repealed.

Section 6. Section fourteen of chapter sixty-three of the General Laws, as most recently amended by chapter one hundred and eighty-two of the acts of nineteen hundred and twenty-four, is hereby repealed.

G. L. 74, §§ 39 and 40, repealed.

Section 7. Sections thirty-nine and forty of chapter seventy-four of the General Laws are hereby repealed.

G. L. 74, § 41, amended.

Section 8. Section forty-one of said chapter seventy-four is hereby amended by striking out all after the word "allies" in the seventh line.

G. L. 81, § 13, amended.

Department of public works to maintain state highways.

Section 9. Chapter eighty-one of the General Laws is hereby amended by striking out section thirteen and inserting in place thereof the following: — *Section 13.* State highways shall be maintained and kept in good repair and condition by the department at the expense of the commonwealth. The department shall keep all state highways reasonably clear of brush and shall cause suitable shade trees to be planted thereon if practicable.

G. L. 92, § 21, amended.

Section 10. Section twenty-one of chapter ninety-two of the General Laws is hereby amended by striking out, in the second line, the words "in term time or vacation,".

G. L. 94, § 179, repealed.

Section 11. Section one hundred and seventy-nine of chapter ninety-four of the General Laws is hereby repealed.

G. L. 94, § 239, repealed.

Section 12. Section two hundred and thirty-nine of said chapter ninety-four is hereby repealed.

G. L. 94, § 269, repealed.

Section 13. Section two hundred and sixty-nine of said chapter ninety-four is hereby repealed.

G. L. 111, § 69, repealed.

Section 14. Section sixty-nine of chapter one hundred and eleven of the General Laws is hereby repealed.

G. L. 111, § 108, amended.

Section 15. Section one hundred and eight of said chapter one hundred and eleven is hereby amended by striking out the comma in the first line and inserting in place thereof the word: — or, — and by striking out, in the same line, the words "or workhouse".

G. L. 115, § 23, repealed.

Section 16. Section twenty-three of chapter one hundred and fifteen of the General Laws is hereby repealed.

G. L. 117, § 2, amended.

Powers and duties of boards of public welfare.

Section 17. Chapter one hundred and seventeen of the General Laws is hereby amended by striking out section two and inserting in place thereof the following: — *Section 2.* The board of public welfare shall have the care and oversight of all such poor and indigent persons so long as they remain at the charge of their respective towns, and shall see that they are suitably relieved, supported and employed in the infirmary, or in such other manner as the town directs, or otherwise at the discretion of the board. Said board may

remove to the infirmary children suffering destitution from extreme neglect of dissolute or intemperate parents or guardians, except as otherwise provided.

G. L. 117, § 4, repealed.

Section 18. Section four of said chapter one hundred and seventeen is hereby repealed.

G. L. 117, § 21, amended.

Section 19. Section twenty-one of said chapter one hundred and seventeen is hereby amended by striking out, in the first line, the words "almshouse or workhouse" and inserting in place thereof the word: — infirmary.

G. L. 117, §§ 39, 41 and 42, repealed.

Section 20. Sections thirty-nine, forty-one and forty-two of said chapter one hundred and seventeen are hereby repealed.

G. L. 119, § 15, repealed.

Section 21. Section fifteen of chapter one hundred and nineteen of the General Laws is hereby repealed.

G. L. 120, § 14, amended.

Section 22. Chapter one hundred and twenty of the General Laws is hereby amended by striking out section fourteen and inserting in place thereof the following: —

Massachusetts training schools.

Section 14. The trustees may transfer any boy from the Lyman school for boys to the industrial school for boys or vice versa. The department of public welfare may transfer boys between fifteen and eighteen in its custody to the industrial school for boys.

Transfers from one school to another, etc.

G. L. 121, § 16, amended.

Section 23. Section sixteen of chapter one hundred and twenty-one of the General Laws is hereby amended by striking out all after the word "all" in the first line down to and including the word "all" in the fourth line.

G. L. 121, §§ 17, 18 and 19, repealed.

Section 24. Sections seventeen, eighteen and nineteen of said chapter one hundred and twenty-one are hereby repealed.

G. L. 122, § 9, repealed.

Section 25. Section nine of chapter one hundred and twenty-two of the General Laws is hereby repealed.

G. L. 123, § 44, repealed.

Section 26. Section forty-four of chapter one hundred and twenty-three of the General Laws is hereby repealed.

G. L. 126, §§ 13 to 15, inclusive, repealed.

Section 27. Sections thirteen to fifteen, inclusive, of chapter one hundred and twenty-six of the General Laws are hereby repealed.

G. L. 126, § 21, amended.

Section 28. Said chapter one hundred and twenty-six is hereby further amended by striking out section twenty-one and inserting in place thereof the following: — *Section 21.* The keeper of a jail or master of a house of correction to which a female has been committed shall forthwith transmit to the commissioner of correction such an abstract of the mittimus upon which she has been committed as he may require.

Abstract of mittimus committing female to be sent to commissioner of correction.

G. L. 127, § 95, amended.

Section 29. Chapter one hundred and twenty-seven of the General Laws is hereby amended by striking out section ninety-five and inserting in place thereof the following: —

Female prisoner may have custody of infant.

Section 95. If the mother of a child under eighteen months is imprisoned in a jail, house of correction or other place of confinement and is capable and desirous of taking care of it, the keeper or master shall, upon the order of the court or magistrate committing her, or of any member of a board of public welfare, receive the child and place it under the care and custody of its mother.

G. L. 127, § 112, repealed.

Section 30. Section one hundred and twelve of said chapter one hundred and twenty-seven is hereby repealed.

G. L. 127, § 140, amended.

Section 31. Section one hundred and forty of said chapter one hundred and twenty-seven is hereby amended by striking out the comma in the third line and inserting in place thereof the word: — or, — and by striking out, in the same line, the words "or workhouse".

G. L. 127, § 143, amended.

Section 32. Section one hundred and forty-three of said chapter one hundred and twenty-seven is hereby amended by striking out the last sentence.

G. L. 139, § 11, amended.

Section 33. Section eleven of chapter one hundred and thirty-nine of the General Laws is hereby amended by striking out, in the fourth line, the words "in vacation" and inserting in place thereof the words: — , when the court is not in session.

G. L. 139, § 12, amended.

Section 34. Section twelve of said chapter one hundred and thirty-nine is hereby amended by striking out, in the seventh line, the words "term of court" and inserting in place thereof the words: — court sitting.

G. L. 140, § 5, amended.

Section 35. Section five of chapter one hundred and forty of the General Laws is hereby amended by striking out all after the word "guests" in the fourth line.

G. L. 140, § 6, amended.

Section 36. Section six of said chapter one hundred and forty is hereby amended by striking out, in the sixth line, the words "and stable room and provender for horses and cattle".

G. L. 140, § 7, amended.

Penalty for refusing to receive traveler.

Section 37. Said chapter one hundred and forty is hereby amended by striking out section seven and inserting in place thereof the following: — *Section 7.* An innholder who, upon request, refuses to receive and make suitable provision for a stranger or traveler shall be punished by a fine of not more than fifty dollars.

G. L. 248, § 2, amended.

Writ of habeas corpus, by whom issued.

Section 38. Chapter two hundred and forty-eight of the General Laws is hereby amended by striking out section two and inserting in place thereof the following: — *Section 2.* The writ may be issued, irrespective of the county in which the person is imprisoned or restrained, by the supreme judicial or the superior court, by a probate or a district court or by a judge of any of said courts.

G. L. 253, §§ 63 and 64, repealed.

Section 39. Sections sixty-three and sixty-four of chapter two hundred and fifty-three of the General Laws are hereby repealed.

G. L. 262, § 10, amended.

Section 40. Section ten of chapter two hundred and sixty-two of the General Laws is hereby amended by striking out, in the second, fifth, and eighth and ninth lines, respectively, the words "horse and carriage or other".

G. L. 262, § 14, etc., amended.

Section 41. Section fourteen of said chapter two hundred and sixty-two, as amended by section four of chapter three hundred and thirty-four of the acts of nineteen hundred and twenty-seven, is hereby further amended by striking out, in the eighteenth and nineteenth lines, the words "horse and carriage, motor vehicle or other".

G. L. 262, § 19, amended.

Section 42. Section nineteen of said chapter two hundred and sixty-two is hereby amended by striking out, in

the third and fourth lines, the words "horse and carriage or other" and inserting in place thereof the article: — a, — and by striking out, in the sixth line, the words "horse and carriage or other".

G. L. 265, § 26, amended.

Section 43. Section twenty-six of chapter two hundred and sixty-five of the General Laws is hereby amended by striking out all after the word "will" in the eighth line down to and including the word "country" in the eleventh line.

G. L. 265, § 27, amended.

Kidnapping, etc.

Venue.

Section 44. Said chapter two hundred and sixty-five is hereby further amended by striking out section twenty-seven and inserting in place thereof the following: — *Section 27.* A crime described in the preceding section may be tried in the county where committed or in any county in or to which the person so seized, inveigled or kidnapped is confined, held, carried or brought; and upon the trial of any such crime, the consent thereto of the person so seized, inveigled, kidnapped or confined shall not be a defence unless the jury finds that such consent was not obtained by fraud or extorted by duress or threats.

G. L. 266, § 120, etc., amended.

Section 45. Section one hundred and twenty of chapter two hundred and sixty-six of the General Laws, as amended by chapter one hundred and nine of the acts of nineteen hundred and twenty-nine, is hereby further amended by striking out, in the ninth line, the following: —, watchman.

G. L. 266, § 131, amended.

Section 46. Section one hundred and thirty-one of said chapter two hundred and sixty-six is hereby amended by striking out, in the fourth line, the following: —, watchman.

G. L. 272, § 61, amended.

Section 47. Section sixty-one of chapter two hundred and seventy-two of the General Laws is hereby amended by striking out, in the fifth and sixth lines, the words "or workhouse".

G. L. 279, § 2, amended.

Execution of certain orders of commitment to Massachusetts reformatory, etc., may be suspended, etc.

Section 48. Chapter two hundred and seventy-nine of the General Laws is hereby amended by striking out section two and inserting in place thereof the following: — *Section 2.* In all cases the execution of orders of commitment to the Massachusetts reformatory, the reformatory for women, any training school, however named, the Lyman school, the industrial school for girls, the industrial school for boys and the department of public welfare may be suspended, and such suspension continued or revoked, in the same manner and with the same effect as the execution of sentences in criminal cases.

G. L. 279, § 21, repealed.

Section 49. Section twenty-one of said chapter two hundred and seventy-nine is hereby repealed.

G. L. 279, § 23, amended.

Section 50. Section twenty-three of said chapter two hundred and seventy-nine is hereby amended by striking out the last sentence.

Temporary Provisions No Longer Needed.

G. L. 13, § 16, amended.

Section 51. Section sixteen of chapter thirteen of the General Laws is hereby amended by striking out, in the sixth to ninth lines, inclusive, the words "; provided, that nothing in this provision shall disqualify any member thereof in

office on August twenty-third, nineteen hundred and twenty, from completing the term of office for which he was appointed".

G. L. 19, § 6, etc., amended.

SECTION 52. Section six of chapter nineteen of the General Laws, as most recently amended by section two of chapter two hundred and ninety-three of the acts of nineteen hundred and twenty-five, is hereby further amended by striking out, in the fifth and sixth lines, the words ", except in the case of the Norfolk state hospital", — and by striking out, in the ninth to the sixteenth lines, the words "; provided, that the initial appointments of members of the board of trustees of the Belchertown state school shall be so made by the governor, with the advice and consent of the council, that the term of one such member shall expire on the first Wednesday of February in each year from nineteen hundred and twenty-three to nineteen hundred and twenty-nine, both inclusive".

G. L. 31, § 27, amended.

SECTION 53. Section twenty-seven of chapter thirty-one of the General Laws is hereby amended by striking out all after the word "only" in the sixteenth line.

G. L. 32, § 74, etc., amended.

SECTION 54. Section seventy-four of chapter thirty-two of the General Laws, as amended by section eight of chapter four hundred and eighty-seven of the acts of nineteen hundred and twenty-one, is hereby further amended by striking out all after the word "week" in the fourteenth line.

G. L. 64A, § 2, amended.

SECTION 55. Section two of chapter sixty-four A of the General Laws, inserted by section one of chapter three hundred and sixteen of the acts of nineteen hundred and twenty-eight, is hereby amended by striking out all after the word "license" in the seventh line.

G. L. 70, § 4, etc., amended.

SECTION 56. Section four of chapter seventy of the General Laws, as most recently amended by section one of chapter three hundred and thirty-three of the acts of nineteen hundred and twenty-six, is hereby further amended by striking out all after the word "service" in the twenty-sixth line and inserting in place thereof the following new sentence: — No town shall receive under this section in any one year more than fifteen thousand dollars.

Supplementary state reimbursement to certain towns for public schools from income tax.

G. L. 75, § 13, amended.

SECTION 57. Section thirteen of chapter seventy-five of the General Laws is hereby amended by striking out the last sentence.

G. L. 98, § 57, amended.

SECTION 58. Section fifty-seven of chapter ninety-eight of the General Laws is hereby amended by striking out all after the word "director" in the second line.

G. L. 103, § 2, amended.

SECTION 59. Section two of chapter one hundred and three of the General Laws, inserted by section one of chapter three hundred and ninety of the acts of nineteen hundred and twenty-three, is hereby amended by striking out the first three sentences and inserting in place thereof the following: — There shall be two commissioners of pilots for district one and one deputy commissioner of pilots for each of the other three districts. On or before December first in any year when their terms of office expire, their successors

Commissioners and deputy commissioners of pilots, appointment, term.

shall be appointed by the governor, with the advice and consent of the council, for terms of three years.

G. L. 132, § 14, etc., amended.

Section 60. Section fourteen of chapter one hundred and thirty-two of the General Laws, as most recently amended by section two of chapter four hundred and seventy-two of the acts of nineteen hundred and twenty-three, is hereby further amended by striking out, in the thirty-third and thirty-fourth lines, the words "or shall have been made prior to December first, nineteen hundred and twenty-two".

Changes of References.

G. L. 6, § 8, etc., amended.

Section 61. Section eight of chapter six of the General Laws, as amended by section eight of chapter three hundred and sixty-two of the acts of nineteen hundred and twenty-three, is hereby further amended by striking out, in the third and fourth lines, the words "twenty-nine to thirty-seven" and inserting in place thereof the words: — twenty-five to thirty-three.

G. L. 32, § 90, amended.

Section 62. Chapter thirty-two of the General Laws is hereby amended by striking out section ninety and inserting in place thereof the following: — *Section 90.* Sections forty-two A and forty-two B of chapter thirty-one and section three of chapter two hundred and forty-two of the acts of nineteen hundred and twenty-three shall not apply in cities to the retirement on pension of members of police departments who are over seventy years of age.

Aged police officers not subject to certain laws.

G. L. 33, § 41, amended.

Section 63. Section forty-one of chapter thirty-three of the General Laws, as appearing in chapter four hundred and sixty-five of the acts of nineteen hundred and twenty-four, is hereby amended by inserting after the word "this" in the tenth line the words: — or the preceding.

G. L. 58, § 1, amended.

Section 64. Section one of chapter fifty-eight of the General Laws is hereby amended by striking out, in the first and second lines, the words "this and the seven following chapters" and inserting in place thereof the words: — chapters fifty-eight to sixty-five A, inclusive.

G. L. 58, § 30, amended.

Section 65. Section thirty of said chapter fifty-eight is hereby amended by striking out, in the fifth line, the word "four" and inserting in place thereof the word: — three.

G. L. 60, § 104, amended.

Section 66. Section one hundred and four of chapter sixty of the General Laws is hereby amended by inserting after the word "last" in the second line the words: — sentence of the first.

G. L. 63, § 30, par. 3, subdivision (*a*), amended.

Section 67. Subdivision (*a*) of paragraph 3 of section thirty of chapter sixty-three of the General Laws, as appearing in section one of chapter two hundred and fifty-eight of the acts of nineteen hundred and twenty-seven, is hereby amended by striking out, in the eleventh line of said subdivision, the word "fifty-seven" and inserting in place thereof the following: — sixty-eight A.

G. L. 63, § 45, etc., amended.

Section 68. Section forty-five of said chapter sixty-three, as amended by section seven of chapter five hundred and twenty of the acts of nineteen hundred and twenty-two, is

hereby further amended by striking out all after the word "notice" in the sixteenth line.

G. L. 63, § 55, etc., amended.

SECTION 69. The last paragraph of section fifty-five of said chapter sixty-three, as most recently amended by section six of chapter two hundred and seventy-nine of the acts of nineteen hundred and twenty-six, is hereby further amended by striking out, in the second line of said paragraph, the word "fifty-seven" and inserting in place thereof the following: — sixty-eight A.

G. L. 70, § 15, amended.

SECTION 70. Section fifteen of chapter seventy of the General Laws is hereby amended by striking out, in the second line, the word "three" and inserting in place thereof the word: — four.

G. L. 71, § 58, amended.

SECTION 71. Section fifty-eight of chapter seventy-one of the General Laws is hereby amended by striking out, in the fourth and fifth lines, the words "the five preceding sections" and inserting in place thereof the words: — sections fifty-three to fifty-seven, inclusive.

G. L. 74, § 8, amended.

SECTION 72. Section eight of chapter seventy-four of the General Laws is hereby amended by striking out, in the second line, the words "the preceding", and by inserting after the word "section" in said line the word: — seven.

G. L. 81, § 27, amended.

SECTION 73. Chapter eighty-one of the General Laws is hereby amended by striking out section twenty-seven and inserting in place thereof the following: — *Section 27.* Expenditure of state funds under section twenty-six shall be made only upon the written petition of the selectmen, containing such information as the department may require. No work shall be done under said section in any district where dwelling houses or structures devoted to business are situated at intervals averaging less than two hundred feet for the distance of a quarter of a mile.

Repair and improvement of public ways in small towns limited to thinly settled districts.

G. L. 94, § 152, amended.

SECTION 74. Section one hundred and fifty-two of chapter ninety-four of the General Laws is hereby amended by striking out, in the fifth line, the word "two" and inserting in place thereof the word: — three.

G. L. 111, § 39, etc., amended.

SECTION 75. Section thirty-nine of chapter one hundred and eleven of the General Laws, as amended by section one of chapter three hundred and fifteen of the acts of nineteen hundred and twenty-one, is hereby further amended by striking out, in the fifteenth and sixteenth lines, the words ", forty-four, forty-five".

G. L. 132, § 17, amended.

SECTION 76. Section seventeen of chapter one hundred and thirty-two of the General Laws is hereby amended by striking out, in the last line, the word "fourteen" and inserting in place thereof the word: — sixteen.

G. L. 164, § 57, amended.

SECTION 77. Section fifty-seven of chapter one hundred and sixty-four of the General Laws is hereby amended by striking out, in the twelfth and thirteenth lines, the words "the following section" and inserting in place thereof the words: — section fifty-eight.

G. L. 174, § 11, amended.

SECTION 78. Chapter one hundred and seventy-four of the General Laws is hereby amended by striking out section

eleven and inserting in place thereof the following: — *Section 11.* This chapter shall not apply to corporations subject to chapter one hundred and seventy-five or one hundred and seventy-six. Chapter not to apply to insurance and fraternal corporations.

Section 79. The paragraph added at the end of section six of chapter one hundred and seventy-five of the General Laws by section two of chapter one hundred and seventy-one of the acts of nineteen hundred and twenty-eight is hereby amended by striking out, in the ninth and tenth lines, the words "said section thirty-four H" and inserting in place thereof the words: — section thirty-four H of said chapter ninety. G. L. 175, § 6, amended.

Section 80. Section forty-six of chapter one hundred and seventy-six of the General Laws, as most recently amended by chapter one hundred and forty-two of the acts of nineteen hundred and twenty-nine, is hereby further amended by inserting before the word "of", in the thirty-fifth line, the words: — or to the provisions, — and by striking out, in the thirty-sixth and thirty-seventh lines, the words ", or of chapter one hundred and seventy-seven". G. L. 176, § 46, etc., amended.

Section 81. Section forty-six A of said chapter one hundred and seventy-six, inserted by section two of chapter one hundred and fifty-five of the acts of nineteen hundred and twenty-one, is hereby amended by striking out, in the sixth line, the comma and inserting in place thereof the word: — or, — and by striking out, in the sixth and seventh lines, the words "or chapter one hundred and seventy-seven". G. L. 176, § 46A, amended.

Section 82. Section six of chapter one hundred and eighty-one of the General Laws, as amended by chapter twenty-eight of the acts of nineteen hundred and twenty-three, is hereby further amended by striking out, in the seventh line, the words "or one hundred and seventy-seven". G. L. 181, § 6, etc., amended.

Section 83. Section eighty-four of chapter one hundred and eighty-five of the General Laws is hereby amended by striking out, in the tenth line, the word "eight" and inserting in place thereof the word: — eleven. G. L. 185, § 84, amended.

Section 84. Section thirty-nine of chapter two hundred and fourteen of the General Laws is hereby amended by striking out all after the word "twenty-two" in the fourth line and inserting in place thereof the words: — and thirty-two. G. L. 214, § 39, amended.

Section 85. Section six of chapter two hundred and fifteen of the General Laws, as amended by section one of chapter three hundred and forty-two of the acts of nineteen hundred and twenty-nine, is hereby further amended by striking out, in the sixth line, the words "sections twenty and twenty-one" and inserting in place thereof the following: — section twenty. G. L. 215, § 6, etc., amended.

Section 86. Section thirty of chapter two hundred and thirty-five of the General Laws is hereby amended by striking out all after the word "executions" in the second line. G. L. 235, § 30, amended.

Provisions Relative to Witnesses.

G. L. 6, § 32, amended.

SECTION 87. Section thirty-two of chapter six of the General Laws is hereby amended by striking out, in the fifth line, the words "summoned before the general court" and inserting in place thereof the following: — in civil cases before the courts.

Divorce.

G. L. 208, § 6A, as amended, repealed.

SECTION 88. Section six A of chapter two hundred and eight of the General Laws, inserted by section six of chapter five hundred and thirty-two of the acts of nineteen hundred and twenty-two, and as amended by section three of chapter three hundred and sixty-three of the acts of nineteen hundred and twenty-six, is hereby repealed.

G. L. 208, § 8, etc., amended.

SECTION 89. Section eight of said chapter two hundred and eight, as most recently amended by chapter one hundred and ninety-three of the acts of nineteen hundred and twenty-four, is hereby further amended by striking out, in the first line, the word "clerk" and inserting in place thereof the words: — the clerk or the register of probate, — and by inserting after the word "clerk", in the seventh line, the words: — or register.

G. L. 208, § 10, amended.

SECTION 90. Section ten of said chapter two hundred and eight is hereby amended by striking out, in the sixth line, the words "of the superior court" and inserting in place thereof the words: — or judge of the court having jurisdiction, — and by inserting after the word "justice", in the eighth line, the words: — or judge.

G. L. 208, § 11, amended.

SECTION 91. Section eleven of said chapter two hundred and eight is hereby amended by inserting after the word "court", in the fourth line, the words: — or register of probate, — and by inserting after the word "brought", in the ninth line, the words: — or of the register of probate for the county aforesaid, as the case may be.

G. L. 208, § 16, amended.

Investigation of divorce case.

SECTION 92. Said chapter two hundred and eight is hereby further amended by striking out section sixteen and inserting in place thereof the following: — *Section 16.* Any justice of the superior court or judge of a probate court wherein any libel for divorce is pending may appoint an attorney to investigate and report to the court in relation thereto and may direct such attorney, or any other attorney, to defend the libel. The attorney may be appointed either before or after a decree of divorce nisi has been granted, and may enter objections to such decree nisi becoming absolute in the same manner as the libellee. His compensation shall be fixed by the court, and shall be paid by the county where the libel is pending, together with any expenses approved by the court, upon certificate by a justice or the judge thereof to the county treasurer. The state police, local police and probation officers shall assist the attorney so appointed, upon his request.

G. L. 208, § 18, amended.

SECTION 93. Said chapter two hundred and eight is hereby further amended by striking out section eighteen and

inserting in place thereof the following: — *Section 18.* The superior court sitting in any county or the probate court in which the libel is pending may, upon petition of the wife, prohibit the husband from imposing any restraint upon her personal liberty during the pendency of the libel. Protection of personal liberty of wife during pendency.

Section 94. Section thirty of said chapter two hundred and eight is hereby amended by inserting after the word "court", in the third line, the words: — or a probate court. G. L. 208, § 30, amended.

Section 95. Section thirty-three of said chapter two hundred and eight is hereby amended by striking out, in the first line, the word "superior". G. L. 208, § 33, amended.

Section 96. Section thirty-four of said chapter two hundred and eight is hereby amended by striking out, in the second line, the word "superior". G. L. 208, § 34, amended.

Section 97. Section forty-five of said chapter two hundred and eight is hereby amended by inserting after the word "court", in the fifth line, the words: — or register of probate, — and by striking out, in the sixth line, the word "county" and inserting in place thereof the word: — district. G. L. 208, § 45, amended.

Section 98. Section forty-six of said chapter two hundred and eight is hereby amended by striking out the word "and", in the first line, and inserting in place thereof a comma, and by inserting after the word "county", in the second line, the words: — and the registers of probate. G. L. 208, § 46, amended.

Unlimited Civil Jurisdiction of District Courts.

Section 99. Section fifty-four of chapter two hundred and eighteen of the General Laws is hereby amended by striking out, in the third line, the words "within the debt or damages or value prescribed by section nineteen,". G. L. 218, § 54, amended.

Section 100. Chapter two hundred and twenty-six of the General Laws is hereby amended by striking out section eighteen and inserting in place thereof the following: — *Section 18.* The rights and obligations of the bail in an action before a district court and all proceedings as to the surrender of the principal and the action against the bail shall be substantially the same as are provided relative to bail when taken in actions in other courts. G. L. 226, § 18, amended. Bail before inferior courts.

Section 101. Section eleven of chapter two hundred and thirty-two of the General Laws is hereby amended by striking out, in the third and fourth lines, the words ", not exceeding the jurisdiction of the court". G. L. 232, § 11, amended.

Section 102. Section three of chapter two hundred and fifty-seven of the General Laws is hereby amended by striking out all after the word "offence" in the third line. G. L. 257, § 3, amended.

Section 103. Section fourteen of said chapter two hundred and fifty-seven is hereby repealed. G. L. 257, § 14, repealed.

Section 104. Section three of chapter two hundred and twelve of the General Laws, as amended by section four of chapter five hundred and thirty-two of the acts of nineteen hundred and twenty-two, is hereby further amended by G. L. 212, § 3, etc., amended.

striking out, in the second and third lines, the words "of actions of contract, tort and replevin, except those of which other courts have concurrent original jurisdiction,".

Removal of Civil Actions from All District Courts.

G. L. 223, § 10, amended.

Section 105. Section ten of chapter two hundred and twenty-three of the General Laws is hereby amended by striking out, in the fifth line, the words "or taken thereto on appeal", — and by striking out, in the sixth line, the words "the entry in the superior court" and inserting in place thereof the words: — such removal.

G. L. 223, § 24, amended.

Section 106. Section twenty-four of said chapter two hundred and twenty-three is hereby amended by striking out, in the fifth line, the words "removed or".

G. L. 231, § 59, amended.

Section 107. Section fifty-nine of chapter two hundred and thirty-one of the General Laws is hereby amended by striking out, in the nineteenth line, the words "appealed or".

G. L. 231, § 74, amended.

Section 108. Section seventy-four of said chapter two hundred and thirty-one is hereby amended by striking out the last sentence.

G. L. 231, § 97, etc., amended.

Section 109. Said chapter two hundred and thirty-one, as amended in section ninety-seven by section twelve of chapter five hundred and thirty-two of the acts of nineteen hundred and twenty-two, is hereby further amended by striking out said section ninety-seven and inserting in place thereof the following: — *Section 97.* Unless a written waiver of the right of appeal has been filed by all the parties, a party aggrieved by the judgment of a district court in a civil action which could not have been removed to the superior court may appeal therefrom to said court, in case of a judgment rendered in accordance with section three of chapter two hundred and thirty-nine, within twenty-four hours after entry thereof, and, in case of a judgment rendered in any other such civil action, within six days after the entry thereof. In such case no execution shall be issued on the judgment appealed from. The case shall be entered in the superior court for the same county at the return day next after the appeal has been taken and shall be there tried and determined as if originally commenced there.

Pleading and practice.

Appeal to superior court.

G. L. 231, § 98, amended.

Section 110. Section ninety-eight of said chapter two hundred and thirty-one is hereby amended by striking out, in the fifth line, the words "the two following sections" and inserting in place thereof the words: — section ninety-nine.

G. L. 231, § 100, repealed.

Section 111. Section one hundred of said chapter two hundred and thirty-one is hereby repealed.

G. L. 231, § 103, etc., amended.

Section 112. Section one hundred and three of said chapter two hundred and thirty-one, as amended by section thirty-six of chapter four hundred and eighty-six of the acts of nineteen hundred and twenty-one, is hereby further amended by striking out, in the first and second lines, the words "the municipal court of the city of Boston" and inserting in place thereof the words: — any district court.

Section 113. Said chapter two hundred and thirty-one, as amended in section one hundred and four by section three of chapter three hundred and sixteen of the acts of nineteen hundred and twenty-nine, is hereby further amended by striking out said section one hundred and four and inserting in place thereof the following: — *Section 104.* No other party to such action shall be entitled to an appeal. In lieu thereof, in case such action is an action of contract, tort or replevin in which the debt or damages demanded or the value of the property detained exceeds the jurisdictional limit of said district court effective immediately prior to September first, nineteen hundred and twenty-nine, any such other party may, within two days after the time allowed for entering his appearance, file in said court a claim of trial by the superior court, with or without jury, and an affidavit by his counsel of record, if any, and if none, the affidavit of such party, that in his opinion there is an issue of fact or law requiring trial in the cause, and that such trial is in good faith intended, together with the sum of three dollars for the entry of the cause in the superior court, and a bond in the penal sum of one hundred dollars, with such surety or sureties as may be approved by the plaintiff or the clerk or an assistant clerk of said district court, payable to the other party or parties to the cause, conditioned to satisfy any judgment for costs which may be entered against him in the superior court in said cause within thirty days after the entry thereof; and, in lieu of such an appeal in case such action is not an action of contract, tort or replevin as aforesaid, any such other party may, within two days after the time allowed for entering his appearance, file in said court a claim of trial by jury, and an affidavit by his counsel of record, if any, and if none, the affidavit of such party, that in his opinion there is an issue of fact requiring trial in the cause, and that such trial is in good faith intended, together with the sum of three dollars for the entry of the cause in the superior court, and a bond as hereinbefore provided. The clerk shall forthwith transmit the papers and entry fee in the cause to the clerk of the superior court, and the same shall proceed as though then originally entered there, but, if a trial by jury is claimed, may be marked for trial upon the lists of causes advanced for speedy trial by jury.

G. L. 231, § 104, etc., amended.

Removal from Boston municipal court.

Claim of trial by jury, etc.

Section 114. Said chapter two hundred and thirty-one is hereby further amended by striking out section one hundred and five and inserting in place thereof the following: — *Section 105.* In any action brought by or against two or more persons in which separate judgments are authorized by section two or four and in which the debt demanded does not exceed the jurisdictional limit of said district court in effect immediately prior to September first, nineteen hundred and twenty-nine, the party seeking removal may specify in his claim of jury trial the parties as to whom such trial is claimed, in which case the cause shall be removed as to such parties only as are specified in such claim, and said

G. L. 231, § 105, amended.

Partial removal.

district court shall retain jurisdiction as to the remainder. In such case the clerk shall transmit attested copies of the papers in the cause to the clerk of the superior court, in lieu of the originals.

G. L. 231, § 107, amended.

SECTION 115. Section one hundred and seven of said chapter two hundred and thirty-one is hereby amended by striking out, in the first line, the words "the three preceding sections" and inserting in place thereof the words: — section one hundred and four or one hundred and six, — and by striking out, in the fifth line, the word "municipal" and inserting in place thereof the word: — district.

G. L. 231, § 108, etc., amended.

SECTION 116. Said chapter two hundred and thirty-one is hereby further amended by striking out section one hundred and eight, as amended by section one of chapter three hundred and twenty-five of the acts of the current year, and inserting in place thereof the following: — *Section 108.* There shall be an appellate division of each district court for the rehearing of matters of law arising in civil causes therein. Said division of the municipal court of the city of Boston shall consist of three justices thereof, to be designated from time to time by the chief justice thereof. The appellate division of each other district court shall be holden by justices of such other district courts, not exceeding three in number out of five justices assigned to the performance of such duty by the chief justice of the supreme judicial court, as follows: — Such last mentioned chief justice shall assign five justices of district courts within the counties of Essex and Middlesex and that part of Suffolk included in the jurisdiction of the East Boston district court, the district court of Chelsea, the municipal court of the Charlestown district, the municipal court of the Brighton district, the municipal court of the Dorchester district, the municipal court of the Roxbury district, and the municipal court of the South Boston district, to act in the appellate divisions of such district courts within those counties and that part of Suffolk county, which shall be known as the northern appellate division district; shall assign five justices of district courts within the counties of Norfolk, Plymouth, Barnstable, Bristol, Dukes and Nantucket and that part of Suffolk included in the jurisdiction of the municipal court of the West Roxbury district, to act in the appellate divisions of such district courts within those counties and that part of Suffolk county, which shall be known as the southern appellate division district; and shall assign five justices of district courts within the counties of Worcester, Franklin, Hampshire, Hampden and Berkshire to act in the appellate divisions of district courts within those counties, which shall be known as the western appellate division district. Such assignment may be made for such period of time as such chief justice may deem advisable. In each of the foregoing three districts one of the justices so assigned shall be designated by the chief justice of the supreme judicial court as presiding justice, who shall from time to time designate

Appellate divisions of district courts.

Assignment of justices to appellate divisions of district courts.

Presiding justice.

those of the appellate justices who shall act on appeals in each district court in that district and direct the times and places of sittings. Two justices shall constitute a quorum to decide all matters in an appellate division. Quorum.

A justice acting in the appellate division of a district court other than the court of which he is a justice shall be allowed in addition to his compensation as such justice the sum of fifteen dollars for each day he so acts, and his necessary traveling expenses, incidental expenses and necessary clerical assistance while so acting, to be paid by the county in which he so acts, upon his certificate approved by the county commissioners; provided, that the total sum expended for such incidental expenses and clerical assistance shall not exceed in any year the sum of fifteen hundred dollars in the northern appellate division district or the sum of seven hundred and fifty dollars in either of the other two appellate division districts; and no deduction shall be made from the compensation of such justice under section six of chapter two hundred and eighteen on account of compensation paid to a special justice of his court for service at any session which such justice is unable to hold by reason of so acting. Additional compensation and expenses for justices acting in appellate division, etc. Proviso.

Any party to a cause brought in the municipal court of the city of Boston after August thirty-first, nineteen hundred and twelve, or in any other district court after September thirtieth, nineteen hundred and twenty-two, aggrieved by any ruling on a matter of law by a single justice, may, as of right, have the ruling reported for determination by the appellate division when the cause is otherwise ripe for judgment, or sooner by consent of the justice hearing the same. The request for such a report shall be filed with the clerk, in the municipal court of the city of Boston, within two days after notice of the ruling, and, in any other district court, within five days after such notice, and when the objection is to the admission or exclusion of evidence, the claim for a report shall also be made known at the time of the ruling. The justice whose ruling is complained of shall not sit upon the review thereof. If the appellate division shall decide that there has been prejudicial error in the ruling complained of, it may reverse, vacate or modify the same or order a new trial in whole or part; otherwise it shall dismiss the report, and may impose double costs in the action if it finds the objection to such ruling to be frivolous or intended for delay. If the party claiming such report shall not duly prosecute the same, by preparing the necessary papers or otherwise, the appellate division may order the cause to proceed as though no such claim had been made, and may in like manner impose costs. A single justice may, after decision thereon, report for determination by the appellate division any case in which there is an agreed statement of facts or a finding of the facts or any other case involving questions of law only. If a single justice is of opinion that an interlocutory finding or order made by him ought to be reviewed by the appellate division before any further proceedings in the Aggrieved party may have ruling by a single justice reported for determination by appellate division, etc. Reports for determination by appellate division of certain cases at instance of justice, etc.

trial court, he may report the case for that purpose and stay all further proceedings except such as are necessary to preserve the rights of the parties. The municipal court of the city of Boston shall make rules regulating the procedure and sittings of the appellate division of said court, for the preparation and submission of reports and the allowance of reports which a single justice shall disallow as not conformable to the facts, or shall fail to allow by reason of physical or mental disability, death or resignation, for the reporting of cases reserved for report when a single justice shall fail to report the same by reason of physical or mental disability, death or resignation, and for the granting of new trials.

G. L. 231, § 109, etc., amended.

SECTION 117. Said chapter two hundred and thirty-one, as amended in section one hundred and nine by section two of chapter two hundred and sixty-five of the acts of nineteen hundred and twenty-nine, is hereby further amended by striking out said section one hundred and nine and inserting in place thereof the following: — *Section 109.* An appeal to the supreme judicial court shall lie from the final decision of the appellate division of any district court. Appeals taken hereunder from the appellate division of the municipal court of the city of Boston shall be heard by the supreme judicial court for the commonwealth, and such appeals from the appellate division of any other district court shall be heard at the same sittings as other questions of law arising in the county in which the judicial district of such district court lies. Claims of appeal shall be filed in the office of the clerk of the district court within five days after notice of the decision of the appellate division. The appeal shall not remove the cause, but only the question or questions to be determined. The completion of such appeal shall be in accordance with section one hundred and thirty-five. The expense of the preparation of the necessary papers and copies of papers and their transmission, and the entry fee in the supreme judicial court, shall be taxed in the bill of costs of the prevailing party, if he has paid it. Section twenty-five of chapter two hundred and sixty-one shall apply to such appealed cases. If the appellant fails duly to perfect the appeal or to enter the same in the supreme judicial court, the appellate division may upon application of an adverse party, and after notice to all persons interested, order the appeal vacated and the decision appealed from affirmed.

Appeal from appellate division to supreme judicial court.

G. L. 231, § 110, amended.

SECTION 118. Section one hundred and ten of said chapter two hundred and thirty-one is hereby amended by striking out, in the first line, the word "said" and inserting in place thereof the words: — each district.

G. L. 231, §§ 110A to 110C, inclusive, as amended, repealed.

SECTION 119. Sections one hundred and ten A to one hundred and ten C, inclusive, of said chapter two hundred and thirty-one, inserted by section eight of chapter five hundred and thirty-two of the acts of nineteen hundred and twenty-two, as amended in said section one hundred and ten A by section two of chapter one hundred and thirty-two of the acts of nineteen hundred and twenty-five, in said section one hundred and ten B by section one of chapter

fifty-four of the acts of nineteen hundred and thirty and by section two of chapter three hundred and twenty-five of the acts of the current year and in said section one hundred and ten C by chapter two hundred and forty of the acts of nineteen hundred and twenty-seven and by chapter one hundred and eight of the acts of the current year, are hereby repealed.

G. L. 231, § 141, etc., amended.

Section 120. Section one hundred and forty-one of said chapter two hundred and thirty-one, as most recently amended by section one of chapter sixty-five of the acts of nineteen hundred and thirty, is hereby further amended by inserting after the word "thirteen" in the second line the following: — thirteen A, — by striking out the words "one hundred", where they first appear in the seventeenth line, and by inserting after the word "two" in the seventeenth line the following: —, one hundred and three, one hundred and four, one hundred and five, one hundred and six, one hundred and seven, one hundred and eight, one hundred and nine, one hundred and ten, one hundred and twenty-four, one hundred and twenty-five, one hundred and twenty-six, one hundred and thirty-two.

G. L. 231, § 143, amended.

Section 121. Said chapter two hundred and thirty-one is hereby further amended by striking out section one hundred and forty-three and inserting in place thereof the following: — *Section 143.* Sections seventy-one and eighty-six, in addition to those named in section one hundred and forty-one, shall apply to civil actions before the municipal court of the city of Boston, and no other sections of this chapter shall so apply.

Sections applicable to civil actions before municipal court of Boston.

G. L. 218, § 43A, amended.

Section 122. Section forty-three A of chapter two hundred and eighteen of the General Laws, inserted by section ten of chapter five hundred and thirty-two of the acts of nineteen hundred and twenty-two, is hereby amended by striking out the first sentence and inserting in place thereof the following: — There shall be an administrative committee of district courts, which shall consist of the three presiding justices for the time being designated by the chief justice of the supreme judicial court under section one hundred and eight of chapter two hundred and thirty-one to act in the appellate districts of district courts, other than the municipal court of the city of Boston.

Administrative committee of district courts.

G. L. 255, § 30, repealed.

Section 123. Section thirty of chapter two hundred and fifty-five of the General Laws is hereby repealed.

G. L. 261, § 3, repealed.

Section 124. Section three of chapter two hundred and sixty-one of the General Laws is hereby repealed.

Miscellaneous.

G. L. 3, § 10, amended.

Section 125. Section ten of chapter three of the General Laws is hereby amended by striking out, in the fourth line, the words "fifteen hundred" and inserting in place thereof the words: — two thousand.

G. L. 4, §§ 1 and 2, amended.

Section 126. Chapter four of the General Laws is hereby amended by striking out sections one and two and inserting

When statutes shall take effect.

in place thereof the following: — *Section 1.* A statute enacted by the general court which may be made the subject of a referendum petition and which is declared therein to be an emergency law, unless otherwise expressly provided therein, shall take effect as soon as it has the force of a law conformably to the constitution. A statute so enacted which may not be made the subject of such a petition and for which a different time of taking effect is not therein expressly provided shall take effect as soon as it has the force of a law as aforesaid if it is declared therein to be an emergency law, otherwise on the thirtieth day next after the earliest day on which it has the force of a law as aforesaid; provided, that a statute so enacted which may not be made the subject of such a petition and which is to take effect upon its acceptance by a municipal or other corporation or by any board or officer thereof, unless otherwise expressly provided therein, shall, for the purpose of such acceptance only, take effect as soon as it has the force of a law as aforesaid. *Section 2.* A resolve, unless otherwise expressly provided therein, shall take effect as soon as it has the force of a law conformably to the constitution.

Proviso.

When resolves shall take effect.

G. L. 4, § 7, etc., amended.

Section 127. Section seven of said chapter four, as most recently amended by section two hundred and eight of chapter three hundred and ninety-four of the acts of the current year, is hereby further amended by adding at the end thereof the two following new clauses: —

Meaning of certain words in construing statutes.

"Population."

Forty-first, "Population", when used in connection with the number of inhabitants of a county, city, town or district, shall mean the population as determined by the last preceding state or national census.

"Court."

Forty-second, "Court", when used in provisions applicable to both district courts and trial justices, shall include trial justice.

G. L. 4, § 9A, amended.

Section 128. Section nine A of said chapter four, inserted by section two of chapter three hundred and seventy-seven of the acts of nineteen hundred and twenty-nine, is hereby amended by striking out all after the word "otherwise" in the eighth line down to and including the word "thereto" in the fourteenth line and inserting in place thereof the following: — ; but the foregoing shall not apply in any case where the seal of a court, public office or public officer is expressly required by the constitution or by statute to be affixed to a paper, nor shall it apply in the case of certificates of stock of corporations.

Use of seals in written instruments.

G. L. 4, new section after § 9A.

Section 129. Said chapter four is hereby further amended by inserting after section nine A, inserted by section two of chapter three hundred and seventy-seven of the acts of nineteen hundred and twenty-nine, the following new section: — *Section 9B.* The impression or stamping of the established seal of a court, public office, public officer or corporation upon a paper shall be taken and held to be the seal of such court, public office, public officer or corporation, and valid in law to the same extent that an impression

Impression of established seal of a court, etc., to be held to be seal of such court, etc.

of such seal would be if made on wax or wafer attached to such paper.

Section 130. Section five of chapter five of the General Laws is hereby repealed. G. L. 5, § 5, repealed.

Section 131. Said chapter five is hereby further amended by striking out section twelve and inserting in place thereof the following: — *Section 12.* The committees on rules of the two branches, acting concurrently, shall publish during each regular session of the general court bulletins of committee hearings, and shall appoint the editor thereof and fix his compensation. The chairman of either of said committees shall approve bills for editing and printing said bulletins before they are sent to the comptroller for allowance. On receipt of two dollars from each applicant therefor the sergeant-at-arms shall mail to him copies of these bulletins. G. L. 5, § 12, amended. Bulletin of committee hearings.

Section 132. Section eleven of chapter eight of the General Laws, as amended by section eleven of chapter three hundred and sixty-two of the acts of nineteen hundred and twenty-three, is hereby further amended by striking out, in the first line, the word "He" and inserting in place thereof the words: — The superintendent. G. L. 8, § 11, etc., amended.

Section 133. Section nine of chapter nine of the General Laws, inserted by section one of chapter four hundred and fifty-three of the acts of nineteen hundred and twenty-four and amended by section three of chapter two hundred and thirty-two of the acts of nineteen hundred and twenty-eight, is hereby further amended by striking out, in the fourth line, the words ", and may fix his compensation", — by striking out, in the fourteenth line, the words ", and may fix their compensation", — and by striking out, in the twenty-first line, the words "before the superior court" and inserting in place thereof the words: — in civil actions before the courts. G. L. 9, § 9, etc., amended.

Section 134. Section six of chapter fifteen of the General Laws is hereby amended by striking out, in the fourth line, the words "with the approval of the governor and council" and inserting in place thereof the words: —, subject to section ten A of chapter eight. G. L. 15, § 6, amended.

Section 135. Section four of chapter twenty-three of the General Laws, as most recently amended by section two of chapter four hundred and ten of the acts of nineteen hundred and thirty, is hereby further amended by striking out, in the fifteenth line, the word "eleven" and inserting in place thereof the following: — nine B, — and by striking out, in the eighteenth line, the words "and fix their compensation". G. L. 23, § 4, etc., amended.

Section 136. Section two of chapter twenty-nine of the General Laws is hereby amended by inserting after the word "funds" in the seventh line, the following: —, revenue now placed by law in the highway fund. G. L. 29, § 2, amended.

Section 137. Section eighteen of said chapter twenty-nine, as most recently amended by section four of chapter two hundred and twenty-two of the acts of nineteen hundred G. L. 29, § 18, etc., amended.

and twenty-seven, is hereby further amended by striking out, in the sixth line, the word "but" and inserting in place thereof the words: — provided, that, — and by striking out all after the word "warrant" in the seventh line down to and including the word "that" in the thirteenth line and inserting in place thereof the words: — and that.

G. L. 30, § 1, etc., amended.

Section 138. Chapter thirty of the General Laws, as amended in section one by section thirty-seven of chapter three hundred and sixty-two of the acts of nineteen hundred and twenty-three, is hereby further amended by striking out said section one and inserting in place thereof the following: — *Section 1.* The word "departments", as used in this chapter, except in section two, shall, unless the context otherwise requires, mean all the departments of the commonwealth, except the departments of banking and insurance and of civil service and registration but including in lieu thereof the divisions of banks and loan agencies, of insurance, of savings bank life insurance and of civil service and the several boards serving in the division of registration of the department of civil service and registration, and also including the metropolitan district commission and the commission on administration and finance.

Definition of "departments" as used in certain laws relating to state departments, commissions, etc.

G. L. 32, § 5, etc., amended.

Section 139. Section five of chapter thirty-two of the General Laws, as most recently amended by section two of chapter three hundred and seventy-eight of the acts of the current year, is hereby further amended by striking out the two paragraphs contained in lines eighty-four to ninety-eight, inclusive, as printed in the General Laws, and inserting in place thereof the following: — If the total contributions, with accumulated interest, at the time of retirement of any member exceed the amount required to provide an annuity under paragraph (*2*) *B* (*a*) of this section equal to one fourth of the average annual rate of salary or wages of such employee during the five year period provided for computing the maximum retirement allowance under paragraph *E* of this section, the excess above such amount shall be paid to such member upon his retirement in a lump sum with the first monthly payment on account of his retirement allowance. Whenever the retirement board deems it to be impracticable to determine the exact length of service or amount of salary, pay or compensation of a member, said board may estimate the same on a basis determined by it.

Pensions under state retirement system.

G. L. 32, § 46, etc., amended.

Section 140. Section forty-six of said chapter thirty-two, as most recently amended by section seven of chapter three hundred and forty-three of the acts of nineteen hundred and twenty-six, is hereby further amended by inserting before the word "institutions" in the twenty-third line the word: — penal.

G. L. 32, § 59, amended.

Section 141. Section fifty-nine of said chapter thirty-two is hereby amended by striking out, in the fourth and fifth lines, the words "the metropolitan district, the metropolitan district" and inserting in place thereof the words: — any district under the jurisdiction of the metropolitan district commission, said.

Section 142. Said chapter thirty-two, as amended in section sixty-one by section three of chapter four hundred and eighty-six of the acts of nineteen hundred and twenty-one, is hereby further amended by striking out said section sixty-one and inserting in place thereof the following: — *Section 61.* Any justice of the supreme judicial court appointed before June tenth, nineteen hundred and twenty-three, or any judge of probate and insolvency appointed before July second, nineteen hundred and twenty-one, who, having attained the age of seventy and having served as such for at least ten consecutive years, shall resign his office, or who shall be retired under Article LVIII of the amendments to the constitution, shall thereupon be entitled to receive a pension at an annual rate equal to three fourths the annual rate of salary payable to him immediately prior to said June tenth in case he resigns or is retired from the office of justice of the supreme judicial court, or immediately prior to December first, nineteen hundred and twenty-six in case he resigns or is retired from the office of judge of probate and insolvency, to be paid by the commonwealth in the same manner as the salaries of justices or judges of said courts.

G. L. 32, § 61, etc., amended.

Pensions for certain justices of supreme judicial court and certain judges of probate and insolvency.

Section 143. Said chapter thirty-two is hereby further amended by striking out section sixty-two and inserting in place thereof the following: — *Section 62.* Any justice of the supreme judicial court appointed before June tenth, nineteen hundred and twenty-three, or any judge of probate and insolvency appointed before July second, nineteen hundred and twenty-one, who, having attained the age of sixty and having served as such for at least fifteen consecutive years, shall have become disabled for the full performance of his duties as such justice or judge by reason of illness or otherwise, may, with the approval of the governor and council, resign his office, and shall thereupon be entitled to receive the same pension as provided in the preceding section, payable in the manner provided therein.

G. L. 32, § 62, amended.

Same subject.

Section 144. Said chapter thirty-two, as amended in section sixty-three by section four of chapter four hundred and eighty-six and section seven of chapter four hundred and eighty-seven, both of the acts of nineteen hundred and twenty-one, is hereby further amended by striking out said section sixty-three and inserting in place thereof the following: — *Section 63.* Any justice of the supreme judicial court appointed on or after June tenth, nineteen hundred and twenty-three, or any justice of the superior court or judge of the land court whenever appointed, or any judge of probate and insolvency appointed on or after July second, nineteen hundred and twenty-one, who shall be retired under Article LVIII of the amendments to the constitution shall on retirement be entitled to receive a pension at an annual rate equal to one half the annual rate of salary which a like justice or judge was entitled to receive immediately prior to the effective date of chapter six hundred and twenty-seven of the acts of nineteen hundred and twenty in case of the retirement

G. L. 32, § 63, etc., amended.

Pensions for certain justices of supreme, superior and land courts, and certain judges of probate and insolvency.

of such a justice of the supreme judicial court or a justice of the superior court or judge of the land court, or immediately prior to said July second in case of the retirement of such a judge of probate and insolvency, to be paid by the commonwealth in the same manner as the salaries of justices or judges of said courts. Sections one to five, inclusive, shall not apply to justices or judges of any of said courts.

G. L. 32, § 64, amended.

SECTION 145. Said chapter thirty-two is hereby further amended by striking out section sixty-four and inserting in place thereof the following: — *Section 64.* The chief justice and any associate justice of the municipal court of the city of Boston who shall be retired under Article LVIII of the amendments to the constitution shall on retirement be entitled to receive a pension at an annual rate equal to one half the annual rate of salary which a like justice was entitled to receive immediately prior to the effective date of chapter six hundred and fourteen of the acts of nineteen hundred and twenty, to be paid by the county of Suffolk in the same manner in which the salaries of acting justices are paid; provided, that the foregoing shall not apply in case of the retirement as aforesaid of any such justice who shall have been a member of the Boston retirement system, established under chapter five hundred and twenty-one of the acts of nineteen hundred and twenty-two.

Pensions for justices of municipal court of Boston.

Proviso.

G. L. 32, § 65, etc., amended.

SECTION 146. Said chapter thirty-two, as most recently amended in section sixty-five by section three of chapter four hundred and seventy-nine of the acts of nineteen hundred and twenty-three, is hereby further amended by striking out said section sixty-five and inserting in place thereof the following: — *Section 65.* Any justice of a district court, other than the municipal court of the city of Boston, appointed before July second, nineteen hundred and twenty-one, who shall have reached the age of seventy and shall have served as a justice of such court for at least twenty consecutive years, may, with the approval of the governor and council, resign his office, and any such justice who so resigns, or any justice of any such court appointed as aforesaid who shall be retired under Article LVIII of the amendments to the constitution, shall thereupon be entitled to receive a pension at an annual rate equal to three fourths the annual rate of salary payable to him immediately prior to January first, nineteen hundred and twenty-four, to be paid in the same manner in which the salaries of acting justices are paid. Any justice of any such court appointed on or after July second, nineteen hundred and twenty-one, who shall be retired under said Article LVIII, shall on retirement be entitled to receive a pension at an annual rate equal to one half the annual rate of salary which the justice of said court was entitled to receive immediately prior to said July second, and payable in like manner; provided, that the foregoing shall not apply in case of the retirement as aforesaid of any such justice appointed on or after said July second who shall have been a member of the Boston retirement

Pensions for justices of district courts.

Proviso.

system established under chapter five hundred and twenty-one of the acts of nineteen hundred and twenty-two. Sections twenty to twenty-five, inclusive, shall not apply to the justices of such district courts.

Prior pensions or retirement allowances not affected.

Section 147. Nothing in sections one hundred and forty-two to one hundred and forty-six, inclusive, shall affect any pension or retirement allowance granted prior to the effective date of this act.

G. L. 32, § 73, repealed.

Section 148. Section seventy-three of said chapter thirty-two is hereby repealed.

G. L. 32, § 77, etc., amended.

Section 149. Section seventy-seven of said chapter thirty-two, as amended by section one of chapter four hundred and fifty-eight of the acts of nineteen hundred and twenty-three, and as affected by section two of said chapter four hundred and fifty-eight, is hereby further amended by striking out paragraph (*b*) and inserting in place thereof the following: — (*b*) In any such city or town which accepts or has accepted this paragraph or corresponding provisions of earlier laws, "laborers" shall include foremen, inspectors, mechanics, draw tenders, assistant draw tenders and storekeepers, but the pension payable under this section to any person holding a position included as aforesaid within the meaning of the word "laborers" shall not exceed four hundred dollars a year, or, in any such city or town which after the effective date of chapter four hundred and fifty-eight of the acts of nineteen hundred and twenty-three accepted or shall accept this paragraph, whether or not it had accepted this paragraph or corresponding provisions of earlier laws prior to said date, five hundred dollars a year.

Pensions of foremen, inspectors, mechanics, draw tenders and assistants, and storekeepers in employ of certain cities and towns.

G. L. 34, § 9B, amended.

Section 150. Section nine B of chapter thirty-four of the General Laws, inserted by chapter one hundred and twenty-three of the acts of nineteen hundred and twenty-two, is hereby amended by striking out the word "recorded" in the sixth line and inserting in place thereof the word: — filed.

G. L. 35, § 23, etc., amended.

Section 151. Section twenty-three of chapter thirty-five of the General Laws, as amended by section two of chapter ninety-six of the acts of nineteen hundred and twenty-seven, is hereby further amended by striking out, in the eleventh and twelfth lines, the words "on January thirty-first", and by inserting a comma before the word "between" in the thirteenth line.

G. L. 37, § 16, amended.

Section 152. Section sixteen of chapter thirty-seven of the General Laws is hereby amended by inserting after the word "Sheriffs", in the first line, the words: —, by themselves or by their deputies.

G. L. 38, § 1, etc., amended.

Section 153. Section one of chapter thirty-eight of the General Laws, as most recently amended by section one of chapter two hundred and twenty-two of the acts of the current year, is hereby further amended by inserting after the word "Foxborough" in the seventy-second line the word: —, Plainville.

G. L. 40, § 5, etc., amended.

Section 154. Section five of chapter forty of the General Laws, as amended, is hereby further amended by striking out

clause (30) and inserting in place thereof the following: — (30) For contributions to the cost of street railway service under section one hundred and sixty-one of chapter one hundred and sixty-one, — and by adding at the end of said section the following new clause: — For the compensation of all town officers whose election or appointment is authorized or required by law, and for all other necessary charges arising in such town.

Purposes for which towns may appropriate money.

G. L. 40, § 19, amended.

SECTION 155. Section nineteen of said chapter forty is hereby amended by striking out, in the fourteenth and fifteenth lines, the words ", and in Boston with the approval of the commissioner of civil service".

G. L. 41, §§ 31, 32, 32A, 33, 34 and 34A, and caption preceding § 31, amended.

SECTION 156. Chapter forty-one of the General Laws is hereby amended by striking out sections thirty-one, thirty-two, thirty-two A (inserted by section two of chapter three hundred and three of the acts of nineteen hundred and twenty-five), thirty-three, thirty-four and thirty-four A (inserted by chapter twenty-six of the acts of nineteen hundred and twenty-three), and the caption preceding said section thirty-one, and inserting in place thereof, under the caption BOARD OF PUBLIC WELFARE, the following: — *Section 31.* A town which chooses the members of its board of public welfare for one year may, instead of electing such members, provide by vote that the selectmen shall act also as such board. Such vote shall, in any town using official ballots, be passed at a meeting held at least thirty days before the annual meeting at which such selectmen are to be chosen, and thereafter the selectmen shall continue to act as such board until the town rescinds such action by a vote passed at a meeting held at least thirty days before the annual meeting. *Section 32.* If a town votes under section twenty-one to have its selectmen act as the board of public welfare, they may appoint an agent who shall assist the selectmen in the performance of their duties as such board. *Section 32A.* In any town of not exceeding three thousand inhabitants which votes under section twenty-one to have its selectmen act as the board of public welfare and which accepts this section by vote in town meeting, the selectmen, instead of appointing an agent under section thirty-two, may designate the school physician to act as such agent. Such designation shall not bar the school physician from the general practice of his profession. *Section 33.* The board of public welfare shall, within seven days after the annual town election, choose a chairman, and a secretary who need not be one of its members. *Section 34.* The board of public welfare shall keep books so arranged as to readily furnish information required by law relative to all needy persons aided by them, and all further information as to relief applied for, whether given or refused, the preservation of which may be of importance to the town or to the commonwealth, stating the amount and kind of aid given and the reasons for giving or refusing it.

Vote authorizing selectmen to act as board of public welfare.

Agent of selectmen.

Designation of school physician as agent of selectmen.

Organization of board.

Records.

G. L. 41, § 108, amended.

SECTION 157. Section one hundred and eight of said chapter forty-one is hereby amended by striking out, in the second

line, the word "All" and inserting in place thereof the words: — Except as provided in section four A, all.

Section 158. Section forty of chapter forty-three of the General Laws, as amended by section seven of chapter two hundred and thirty-seven of the acts of nineteen hundred and twenty-two, is hereby further amended by striking out all after the word "election" in the ninth line and inserting in place thereof the following new sentence: — A measure proposed under this section or section thirty-nine shall become effective if it shall be approved by registered voters of the city equal in number to one third of the whole number thereof and also by a majority of the voters voting on such measure, but not otherwise. G. L. 43, § 40, etc., amended. City charters. Initiative petitions.

Section 159. Section forty-one of said chapter forty-three is hereby amended by striking out the last sentence. G. L. 43, § 41, amended.

Section 160. Section twenty-two of chapter forty-five of the General Laws is hereby amended by striking out all of the first sentence thereof after the word "recreation" in the third line. G. L. 45, § 22, amended.

Section 161. Section five of chapter forty-six of the General Laws, as amended by chapter one hundred and sixty-five of the acts of the current year, is hereby further amended by inserting after the word "therein" in the fourth line the following: —, and, if it appears that any such child was born in any other town, within or without the commonwealth, shall transmit to the clerk of such town a certificate stating the facts so ascertained as to such child. G. L. 46, § 5, etc., amended.

Section 162. Section six of said chapter forty-six is hereby amended by striking out, in the eighth line, the word "workhouse", — and by striking out, in the ninth line, the word "almshouse" and inserting in place thereof the word: — infirmary. G. L. 46, § 6, amended.

Section 163. Section twelve of chapter forty-seven of the General Laws, as appearing in section one of chapter two hundred and three of the acts of nineteen hundred and twenty-seven, is hereby repealed. G. L. 47, § 12, repealed.

Section 164. Section twenty-five of chapter forty-eight of the General Laws is hereby amended by striking out the first sentence and inserting in place thereof the following: — Except as provided in section twenty-four, every forest warden shall have sole charge of the extinguishment of forest fires in his city or town. G. L. 48, § 25, amended. Duties of forest wardens.

Section 165. Section fifty-eight of said chapter forty-eight is hereby amended by striking out, in the first, second and third lines, the words "in the metropolitan fire prevention district, as defined in section twenty-eight of chapter one hundred and forty-eight,". G. L. 48, § 58, amended.

Section 166. Section one of chapter fifty of the General Laws, as most recently amended by section two hundred and fourteen of chapter three hundred and ninety-four of the acts of the current year, is hereby further amended by striking out the paragraphs contained in lines three to six, inclusive; lines thirteen to sixteen, inclusive; lines thirty-four to thirty-eight, inclusive; and lines seventy-five to eighty, G. L. 50, § 1, etc., amended.

inclusive, all as printed in the General Laws, and inserting in place thereof respectively the following: —

Definitions. "Aldermen."

"Aldermen" or "board of aldermen" shall include the board of election commissioners or election commission of any city having such a board or commission, as to all matters coming within the scope of their powers and duties, and as to such matters shall not apply to the city council of such city.

"City clerk."

"City clerk" shall include the board of election commissioners or election commission of any city having such a board or commission, with reference to all matters coming within the scope of their powers and duties, and as to such matters shall not apply to the city clerk of such city.

"Mayor," etc.

"Mayor" or "mayor and aldermen" shall include the board of election commissioners or election commission of any city having such a board or commission, with reference to all matters coming within the scope of their powers and duties, and as to such matters shall not apply to the mayor or city council of such city.

"Registrars," etc.

"Registrars" or "registrars of voters" shall mean the board of registrars of voters of a city or town, and shall include the board of election commissioners or election commission of any city having such a board or commission, with reference to all matters coming within the scope of their powers and duties. "Registrar" shall, when applicable, mean a member of any of said boards.

G. L. 50, § 6, amended.

SECTION 167. Said chapter fifty is hereby amended by striking out section six and inserting in place thereof the following: — *Section 6.* Laws from time to time in force relating particularly to any city or town shall prevail where they are in conflict with the provisions of chapters fifty-one to fifty-seven, inclusive; but, except as otherwise provided by any such law, said chapters and all other statutes in any way concerning the right to vote at primaries, caucuses or elections, or its exercise, or matters incidental thereto, shall apply to such city or town, in addition to the laws particularly applicable thereto.

Application of laws relating particularly to any city or town.

G. L. 51, § 1, etc., amended.

SECTION 168. Section one of chapter fifty-one of the General Laws, as amended by chapter three hundred and five of the acts of nineteen hundred and twenty-two, is hereby further amended by inserting after the word "guardianship" in the second line the words: — and not being temporarily or permanently disqualified by law because of corrupt practices in respect to elections, — and by inserting after the word "or" in the ninth line the words: —, except in so far as restricted in any town in which a representative town meeting form of government has been established.

G. L. 51, § 9, etc., amended.

SECTION 169. Said chapter fifty-one, as amended in section nine by section nine of chapter one hundred and thirty-one of the acts of nineteen hundred and twenty-three, is hereby further amended by striking out said section nine of said chapter fifty-one and inserting in place thereof the fol-

lowing: — *Section 9.* A person who becomes a resident of a city or town, except one having a listing board, after April first and desires to be registered as a voter shall present to the assessors a sworn statement that he became a resident therein at least six months preceding the election at which he claims the right to vote. If the assessors are satisfied that such statement is true, they shall give him a certificate that he became a resident therein as aforesaid, and shall forthwith notify the registrars of voters of the city or town, if in the commonwealth, where such person resided on April first, that they have given such certificate. Certain persons desiring to be registered to present statement to assessors, etc.

Section 170. Section fifteen of said chapter fifty-one, as amended by section one of chapter one hundred and two of the acts of nineteen hundred and twenty-one, is hereby further amended by striking out, in the third line, the words "except Boston and Lowell" and inserting in place thereof the words: — other than one having a board of election commissioners or an election commission. G. L. 51, § 15, etc., amended.

Section 171. Section seventeen of said chapter fifty-one is hereby amended by striking out, in the first line, the words "except Boston" and inserting in place thereof the words: — other than one having a board of election commissioners or an election commission. G. L. 51, § 17, amended.

Section 172. Section twenty-seven of said chapter fifty-one, as most recently amended by section two of chapter one hundred and three of the acts of nineteen hundred and twenty-eight, is hereby further amended by striking out, in the fifth line, the word "state,". G. L. 51, § 27, etc., amended.

Section 173. Section thirty-two of said chapter fifty-one is hereby amended by striking out, in the sixth line, the words "April thirtieth" and inserting in place thereof the words: — March thirty-first. G. L. 51, § 32, amended.

Section 174. Section eleven of chapter fifty-three of the General Laws, as amended by section two of chapter twenty-four of the acts of nineteen hundred and twenty-seven, is hereby further amended by striking out, in the last line, the words "nominations for such offices" and inserting in place thereof the words: — the certificate of nomination or nomination papers to which objections are made. G. L. 53, § 11, etc., amended.

Section 175. Section one hundred and thirty-eight of chapter fifty-four of the General Laws is hereby amended by striking out, in the eighth line, the words "second Monday" and inserting in place thereof the words: — first Wednesday. G. L. 54, § 138, amended.

Section 176. Said chapter fifty-four is hereby amended by striking out section one hundred and forty-eight and inserting in place thereof the following: — *Section 148.* The persons chosen as presidential electors shall meet at the state house on the first Wednesday in January next following their election at three o'clock in the afternoon and organize by the choice of a presiding officer and secretary. The state secretary shall call the meeting to order, call the roll of electors, and preside until a presiding officer shall be chosen. The secretary of the electors shall keep a journal of their pro- G. L. 54, § 148, amended. Presidential electors, meeting, organization, proceedings.

ceedings and deposit the same in the office of the state secretary, where it shall be recorded and filed.

G. L. 54, § 141, etc., amended.

SECTION 177. Section one hundred and forty-one of said chapter fifty-four, as amended by chapter one hundred and forty-two of the acts of nineteen hundred and twenty-two, is hereby further amended by striking out, in the fifth, sixth and seventh lines, the words ", and another election to fill the vacancy for such representative shall be held on the fourth Monday of the same month of November", — and by striking out, in the ninth and tenth lines, the words "on the fourth Monday of November".

G. L. 57, § 5, etc., amended.

SECTION 178. Section five of chapter fifty-seven of the General Laws, as amended by section two of chapter four hundred and twenty-four of the acts of nineteen hundred and twenty-four, is hereby further amended by striking out the first sentence and inserting in place thereof the following: — The commissioners to apportion Suffolk county into representative districts shall, within thirty days after the state secretary shall have certified to them the number of representatives to which said county may be entitled, as determined by the general court, assemble in Boston and, as soon as may be, shall proceed to divide said county into representative districts of contiguous territory and assign representatives thereto, so that each representative in such county will represent, as nearly as may be, an equal number of legal voters, as such term is used in Articles XXI and XXII of the amendments to the constitution.

Apportionment of Suffolk county into representative districts.

G. L. 58, § 13, etc., amended.

SECTION 179. Section thirteen of chapter fifty-eight of the General Laws, as most recently amended by section one of chapter two hundred and seventy-one of the acts of nineteen hundred and twenty-three, is hereby further amended by striking out, in the fifth and sixth lines, the words "or game preserve" and inserting in place thereof the words: —, game preserve or wild life sanctuary, — and by striking out in the seventh and eighth lines the words "in the year nineteen hundred and twenty-three, and".

G. L. 58, § 16, amended.

SECTION 180. Said chapter fifty-eight is hereby further amended by striking out section sixteen and inserting in place thereof the following: — *Section 16.* In every year, not later than August first, the commissioner shall deliver to the state treasurer a statement as to the value of land owned by the commonwealth for the purposes named in section thirteen in each town, and of the amount of money to be paid to each of such towns as determined by the following section.

Annual statement to treasurer.

G. L. 58, § 18, etc., amended.

SECTION 181. Said chapter fifty-eight, as most recently amended in section eighteen by section one of chapter two hundred and twenty-two of the acts of nineteen hundred and twenty-seven, is hereby further amended by striking out said section eighteen and inserting in place thereof the following: — *Section 18.* The state treasurer shall annually on or before November twentieth distribute to the several cities and towns, in proportion to the amounts of state tax imposed upon such cities and towns in that year, the proceeds of the

Distribution of income tax.

taxes collected by the commonwealth on incomes under chapter sixty-two, after deducting a sum sufficient to reimburse the commonwealth for the expenses incurred in the collection and distribution of said income taxes and for such of said taxes as have been refunded under said chapter sixty-two or section twenty-seven of this chapter during said year, together with any interest or costs paid on account of refunds, which shall be retained by the commonwealth, and after deducting also a sufficient sum to be distributed under part I of chapter seventy.

G. L. 58, § 27, etc., amended.

Section 182. Section twenty-seven of said chapter fifty-eight, as most recently amended by section one of chapter two hundred and eighty-seven of the acts of nineteen hundred and twenty-six, is hereby further amended by striking out, in the twenty-fifth line, the word "twenty-four" and inserting in place thereof the words: — twenty-four A.

G. L. 59, § 5, etc., amended.

Section 183. Section five of chapter fifty-nine of the General Laws, as amended, is hereby further amended by striking out clauses Twenty-seventh and Twenty-ninth and inserting in place thereof the following: —

Property, income of which is taxable, exempt from taxation.

Twenty-seventh, Property the income of which is taxed under chapter sixty-two, or would be taxable thereunder if the property yielded income.

Shares in certain partnerships, etc.

Twenty-ninth, Shares in partnerships, associations or trusts, in the case of shares the income of which is taxable under chapter sixty-two.

G. L. 62, §§ 49 to 53, inc., as amended, repealed.

Section 184. Sections forty-nine to fifty-three, inclusive, of chapter sixty-two of the General Laws, as amended, are hereby repealed.

G. L. 63, § 22, amended.

Section 185. Section twenty-two of chapter sixty-three of the General Laws is hereby amended by striking out, in the first line, the words "as defined" and inserting in place thereof the words: — coming within the scope of the definition of a domestic company.

G. L. 63, § 23, amended.

Section 186. Section twenty-three of said chapter sixty-three is hereby amended by striking out, in the first line, the words "as defined" and inserting in place thereof the following: — coming within the scope of the definition of a foreign company.

G. L. 63, § 37, etc., amended.

Section 187. Section thirty-seven of said chapter sixty-three, as amended by section one B of chapter three hundred and forty-three of the acts of nineteen hundred and twenty-five, is hereby further amended by inserting after the word "domestic" in the third line, as printed in the General Laws, the word: — business.

G. L. 63, § 67, etc., amended.

Section 188. Section sixty-seven of said chapter sixty-three, as amended by section three of chapter one hundred and forty-three of the acts of nineteen hundred and twenty-eight, is hereby further amended by striking out, in the twenty-third line, the word "thirty-eight" and inserting in place thereof the words: — thirty-eight C.

G. L. 63, § 73, etc., amended.

Section 189. Section seventy-three of said chapter sixty-three, as amended by section twelve of chapter five hundred

and twenty of the acts of nineteen hundred and twenty-two, is hereby further amended by striking out, in the third and fourth lines, the words ", except the excise imposed by section sixty-two".

G. L. 63, § 75, etc., amended.

SECTION 190. Section seventy-five of said chapter sixty-three, as amended by section thirteen of said chapter five hundred and twenty, is hereby further amended by striking out, in the second and third lines, the words ", except section sixty-two,".

G. L. 63, § 80, amended.

SECTION 191. Section eighty of said chapter sixty-three is hereby amended by striking out, in the fifth line, the words "and certificates".

G. L. 64A, § 9, amended.

SECTION 192. Section nine of chapter sixty-four A of the General Laws, inserted by section one of chapter three hundred and sixteen of the acts of nineteen hundred and twenty-eight, is hereby amended by striking out, in the fifth line, the word "permit" and inserting in place thereof the word: — license, — by striking out, in the seventh line, the words "state fire marshal or his agent" and inserting in place thereof the words: — licensing authority under chapter one hundred and forty-eight, — and by striking out, in the eighth line, the word "marshal" and inserting in place thereof the word: — authority.

G. L. 65, § 32, etc., amended.

SECTION 193. Section thirty-two of chapter sixty-five of the General Laws, as most recently amended by section twenty-one of chapter five hundred and twenty of the acts of nineteen hundred and twenty-two, is hereby further amended by striking out, in the sixteenth line, the word "appeal" and inserting in place thereof the words: — tax appeals.

G. L. 67, § 26, amended.

SECTION 194. Section twenty-six of chapter sixty-seven of the General Laws is hereby amended by striking out the last sentence.

G. L. 69, § 4, amended.

SECTION 195. Section four of chapter sixty-nine of the General Laws is hereby amended by striking out, in the fourth line, the word "reform" and inserting in place thereof the word: — training, — and by striking out, in the same line, the word "almshouse" and inserting in place thereof the word: — infirmary.

G. L. 69, § 20, amended.

SECTION 196. Section twenty of said chapter sixty-nine is hereby amended by striking out, in the third line, the word "to".

G. L. 74, § 38, repealed.

SECTION 197. Section thirty-eight of chapter seventy-four of the General Laws is hereby repealed.

G. L. 80A, new section added.

SECTION 198. Chapter eighty A of the General Laws, inserted by section one of chapter three hundred and eighty of the acts of nineteen hundred and twenty-nine, is hereby amended by adding thereto the following new section: —

Public authorities may elect to take property and assess betterments under G. L. 80A,

Section 16. In any case where the commonwealth, or a county, city, town or district thereof, has been or shall be authorized by provisions of general or special law to take real estate or any interest therein by eminent domain under chapter seventy-nine, the officer or board of officers thereof

authorized to exercise such power may, unless otherwise provided, elect to take such property or interest under this chapter and, if betterments are to be assessed, to assess the same hereunder.

G. L. 82, § 24, etc., amended.

Section 199. Section twenty-four of chapter eighty-two of the General Laws, as amended by chapter twenty-three of the acts of nineteen hundred and twenty-seven, is hereby further amended by striking out the first three sentences and inserting in place thereof the following: — If it is necessary to acquire land for the purposes of a town way or private way which is laid out, altered or relocated by the selectmen, road commissioners or other officers of a town under this chapter, such officers shall within thirty days after the termination of the town meeting at which the laying out, alteration or relocation of such town way or private way is accepted by the town, adopt an order for the taking of such land by eminent domain under chapter seventy-nine or institute proceedings for such taking under chapter eighty A. Any person sustaining damage in his property by the laying out, alteration or relocation of a town way or private way shall be entitled to recover the same under said chapter seventy-nine, unless such damage was sustained in connection with a taking made in proceedings instituted under said chapter eighty A, and any person sustaining damage in his property by the discontinuance of a town way or private way or by specific repairs thereon shall be entitled to recover the same under said chapter seventy-nine. If no entry has been made upon land taken under said chapter seventy-nine for the purpose of a town way, or if the location has for any other cause become void, a person who has suffered loss or been put to expense by the proceedings shall be entitled to recover indemnity therefor under said chapter seventy-nine.

Laying out, etc., of public ways.

Taking by eminent domain and damages.

G. L. 84, § 15, amended.

Section 200. Section fifteen of chapter eighty-four of the General Laws is hereby amended by adding at the end thereof the following sentence: — No action shall be maintained under this section by a person the combined weight of whose carriage or vehicle and load exceeds six tons.

No action for damages if load excessive.

G. L. 84, § 16, amended.

Section 201. Section sixteen of said chapter eighty-four is hereby amended by striking out the last sentence.

G. L. 90, § 21, etc., amended.

Section 202. Section twenty-one of chapter ninety of the General Laws, as amended by chapter three hundred and forty-nine of the acts of nineteen hundred and twenty-one, is hereby further amended by striking out, in the twenty-first line, the words ", in lieu of a bail bond," and by inserting after the word "bail" in the twenty-second line the following: — , in lieu of furnishing a surety or sureties.

G. L. 90, § 28, etc., amended.

Section 203. Said chapter ninety, as most recently amended in section twenty-eight by section sixty-five of chapter three hundred and sixty-two of the acts of nineteen hundred and twenty-three, is hereby further amended by striking out said section twenty-eight and inserting in place thereof the following: — *Section 28.* Any person aggrieved by a ruling or decision of the registrar may, within ten days

Appeals from rulings of registrar of motor vehicles.

thereafter, appeal from such ruling or decision to the department of public works, which may, after a hearing, order such ruling or decision to be affirmed, modified or annulled, but no such appeal shall operate to stay any ruling or decision of the registrar. In the administration of the laws and regulations relative to motor vehicles the commissioner or an associate commissioner of the department, or an employee thereof, if duly authorized by a writing filed in the office of the department, or the registrar, may summon witnesses in behalf of the commonwealth and may administer oaths and take testimony. The department or the registrar may also cause depositions to be taken, and may order the production of books, papers, agreements and documents. Any person who swears or affirms falsely in regard to any matter or thing respecting which an oath or affirmation is required by the department or by the registrar or by this chapter shall be deemed guilty of perjury. The fees for the attendance and travel of witnesses shall be the same as for witnesses in civil actions before the courts, and shall be paid by the commonwealth upon the certificate of the department or the registrar filed with the comptroller. The supreme judicial or superior court may, upon the application of the department or the registrar, enforce all lawful orders of the department or the registrar under this section.

Commissioner of public works, etc., may summon witnesses, etc.

Witness fees, payment.

Court enforcement of orders, etc.

G. L. 90, § 29, etc., amended.

Section 204. Section twenty-nine of said chapter ninety, as most recently amended by chapter two hundred and thirty of the acts of nineteen hundred and twenty-nine, is hereby further amended by striking out, in the fourth line, the words "determine their compensation and terms of service and", — by inserting before the word "for" in the fifth line the word: — and, — by striking out, in the sixth line, the words "and fix the compensation of", — and by striking out, in the ninth and tenth lines, the word "inspectors" and inserting in place thereof the word: — investigators.

G. L. 90, § 33, etc., amended.

Section 205. Section thirty-three of said chapter ninety, as most recently amended by section six of chapter one hundred and forty-two of the acts of the current year, is hereby further amended by striking out the last paragraph.

G. L. 91, § 14, etc., amended.

Section 206. Section fourteen of chapter ninety-one of the General Laws, as amended by section one of chapter ninety-nine of the acts of nineteen hundred and thirty, is hereby further amended by inserting after the word "in" in the fifth line the words: — or over.

G. L. 91, § 33, etc., amended.

Section 207. Section thirty-three of said chapter ninety-one, as amended by section two of chapter fifty-seven of the acts of nineteen hundred and twenty-three, is hereby further amended by striking out, in the first and in the ninth lines, the word "division" and inserting in place thereof, in each instance, the word: — department, — and by striking out, in the last line, the words "the work under its charge" and inserting in place thereof the words: — its functions under this chapter in respect to waterways and public lands.

G. L. 92, § 1, as affected, amended.

Section 208. Chapter ninety-two of the General Laws is hereby amended by striking out section one, as affected

by chapter five hundred and forty-six of the acts of nineteen hundred and ten, by chapter fifty-nine of the acts of nineteen hundred and twenty-four, by chapter three hundred and eighty-four of the acts of nineteen hundred and twenty-eight and by chapter four hundred and nineteen of the acts of nineteen hundred and thirty, and inserting in place thereof the following: — *Section 1.* The metropolitan district commission, in this chapter called the commission, shall construct, maintain and operate such main sewers and other works as shall be required for a system of sewage disposal for Arlington, Belmont, Boston, Cambridge, Chelsea, Everett, Lexington, Malden, Medford, Melrose, Reading, Revere, Somerville, Stoneham, Wakefield, Winchester, Winthrop and Woburn, known as the north metropolitan sewerage system, and for Boston, Braintree, Brookline, Canton, Dedham, Milton, Needham, Newton, Norwood, Quincy, Stoughton, Walpole, Waltham, Watertown, Wellesley and Weymouth, known as the south metropolitan sewerage system. The commission may contract with any other town for the extension thereto of either of said systems of sewage disposal, and for the reception and disposal of sewage therefrom. Construction and maintenance of sewer works.

Section 209. Section twenty-four of said chapter ninety-two is hereby amended by striking out, in the sixth line, the words "pauper or". G. L. 92, § 24, amended.

Section 210. Section seventy-six E of said chapter ninety-two, inserted by chapter two hundred and thirty-eight of the acts of nineteen hundred and twenty-eight, is hereby amended by striking out, in the last two lines, the words "of the General Laws". G. L. 92, § 76E, amended.

Section 211. Section eighty-seven of said chapter ninety-two is hereby amended by striking out all after the word "way" in the eighteenth line and inserting in place thereof the following new sentence: — All the provisions of section thirty-six shall apply in the case of any public way within the limits of such land as may be transferred, for care and control under this section, to the commission, to the same extent as though such way were a boulevard maintained by the commission under section thirty-five. G. L. 92, § 87, amended. Application of provisions as to defects in boulevards.

Section 212. Sections nineteen and twenty of chapter ninety-three of the General Laws are hereby repealed. G. L. 93, §§ 19 and 20, repealed.

Section 213. Section twenty-one of said chapter ninety-three is hereby amended by striking out, in the first line, the words "any such" and inserting in place thereof the article: — a. G. L. 93, § 21, amended.

Section 214. Said chapter ninety-three is hereby further amended by striking out section twenty-three and inserting in place thereof the following: — *Section 23.* Whoever violates any provision of any rule or regulation established under section twenty-two shall be punished by a fine of not more than five hundred dollars. G. L. 93, § 23, amended. Penalty.

Section 215. Section one hundred and twenty-eight of chapter ninety-four of the General Laws is hereby amended by striking out, in the ninth line, the word "aldermen" and inserting in place thereof the word: — mayor. G. L. 94, § 128, amended.

G. L. 109, § 25, amended.

SECTION 216. Section twenty-five of chapter one hundred and nine of the General Laws, as appearing in section one of chapter one hundred and twelve of the acts of nineteen hundred and twenty-three, is hereby amended by striking out paragraphs (4) and (5) and inserting in place thereof the following: —

Uniform Limited Partnership Act.

(4) If the court finds that the petitioner has a right to have the writing executed by a person who refuses to do so, it shall order the cancellation or amendment of the certificate, as the case may be, setting forth in its order, in the case of an amendment, the terms thereof, and shall cause a certified copy of such order of cancellation or amendment to be filed in the office of the state secretary.

Requirements for amendment and for cancellation of certificate.

(5) A certificate is amended or cancelled when there is filed in the office of the state secretary

(*a*) A writing in accordance with the provisions of paragraph (1) or (2), or

(*b*) A certified copy of the order of court in accordance with the provisions of paragraph (4).

G. L. 110, § 8, amended.

SECTION 217. Section eight of chapter one hundred and ten of the General Laws is hereby amended by striking out, in the nineteenth line, the word "record" and inserting in place thereof the word: — file, — by striking out, in the twenty-ninth line, the word "recorded" and inserting in place thereof the word: — filed, — and by striking out, in the thirtieth and thirty-first lines, the words "of its record", — and inserting in place thereof the word: — thereof.

G. L. 111, § 84, repealed.

SECTION 218. Section eighty-four of chapter one hundred and eleven of the General Laws is hereby repealed.

G. L. 111, § 182, amended.

SECTION 219. Said chapter one hundred and eleven is hereby amended by striking out section one hundred and eighty-two and inserting in place thereof the following: —

Employees of factories, inmates of institutions, etc., to be vaccinated.

Section 182. The board of health of a town where any incorporated manufacturing company, infirmary, training or industrial school, hospital or other establishment where the poor or sick are received, prison, jail or house of correction, or any institution supported or aided by the commonwealth, is situated may, if it decides that it is necessary for the health of the employees or inmates or for the public safety, require the authorities of said establishment or institution, at the expense thereof, to cause all said employees or inmates to be vaccinated.

G. L. 112, § 2, etc., amended.

SECTION 220. Section two of chapter one hundred and twelve of the General Laws, as most recently amended by section three of chapter two hundred and thirty-nine of the acts of nineteen hundred and twenty-four, is hereby further amended by inserting before the semi-colon, in the thirty-third line, the words: — of chapter ninety-four.

G. L. 112, § 7, amended.

SECTION 221. Section seven of said chapter one hundred and twelve is hereby amended by striking out, in the first line, the words "The five preceding sections" and inserting in place thereof the words: — Sections two to six, inclusive, — and also by inserting after the word "section" in the

eighth line the following: — ; to an assistant in medicine registered as provided in section nine A, while engaged in the practice of medicine as authorized by said section.

Section 222. Section fifty-three of said chapter one hundred and twelve is hereby amended by inserting after the word "dentist" the first time it occurs in the twelfth line the following: —, or prevent a dental interne registered as provided in section forty-five A from engaging in the practice of dentistry as authorized by said section. G. L. 112, § 53, amended.

Section 223. Section seventy-two of said chapter one hundred and twelve, as amended by section two of chapter three hundred and twenty-one of the acts of nineteen hundred and twenty-six, is hereby further amended by inserting after the word "shall" in the ninth line the words: —, except as provided in section sixty-five. G. L. 112, § 72, etc., amended.

Section 224. Section eighty of said chapter one hundred and twelve is hereby amended by inserting after the word "shall" in the fifth line the words: —, except as provided in section sixty-five. G. L. 112, § 80, amended.

Section 225. Section eighty-seven of said chapter one hundred and twelve is hereby amended by inserting after the word "shall" in the fourth line the words: —, except as provided in section sixty-five. G. L. 112, § 87, amended.

Section 226. Section eighty-seven E of said chapter one hundred and twelve, inserted by section two of chapter four hundred and seventy of the acts of nineteen hundred and twenty-three, is hereby amended by inserting after the word "section" in the eleventh line the words: — which is not punishable under section sixty-five. G. L. 112, § 87E, amended.

Section 227. Section one of chapter one hundred and thirteen of the General Laws is hereby amended by striking out, in the third and fourth lines, the words "overseers of the poor of a town, the trustees for children in Boston, the Boston infirmary trustees" and inserting in place thereof the following: — board of public welfare of a town, the institutions commissioner of Boston. G. L. 113, § 1, amended.

Section 228. Chapter one hundred and fifteen of the General Laws is hereby amended by striking out section three A, inserted by chapter one hundred and eighty-one of the acts of nineteen hundred and twenty-three, and inserting in place thereof the following: — *Section 3A.* In a city or town which has duly accepted this section, no almoner or member of the board of public welfare, or officer performing similar duties, or any agent of any of them, shall directly or indirectly act as agent or disbursing officer of the aldermen or selectmen for the payment of state or military aid or soldiers' relief; provided, that this section shall not operate to prevent selectmen in towns who are also members of boards of public welfare from acting in their capacity as selectmen or through an agent acting for the selectmen. G. L. 115, § 3A, amended. Payment of state and military aid and soldiers' relief. Proviso.

Section 229. Section six of chapter one hundred and nineteen of the General Laws is hereby amended by striking out, in the eighth line, the words "overseers of the poor" and G. L. 119, § 6, amended.

inserting in place thereof the words: — board of public welfare, — and by striking out, in the eighth and ninth lines, the words "trustees for children" and inserting in place thereof the words: — institutions department, — and by inserting after the word "board" in the eleventh line the following: — , department.

G. L. 119, § 36A, amended.

Section 230. Section thirty-six A of said chapter one hundred and nineteen, inserted by chapter one hundred and sixty-eight of the acts of nineteen hundred and twenty-seven, is hereby amended by striking out, in the thirteenth line, the word "act" and inserting in place thereof the word: — section, — by striking out, in the fourteenth line, the word "now", — and by inserting after the word "law" in said fourteenth line the words: — in effect on March twenty-fifth, nineteen hundred and twenty-seven.

G. L. 122, § 24, etc., amended.

Section 231. Section twenty-four of chapter one hundred and twenty-two of the General Laws, as amended by section two of chapter four hundred and thirty of the acts of nineteen hundred and twenty-one, is hereby further amended by striking out, in the third line, the words "overseer of the poor or by the Boston infirmary trustees" and inserting in place thereof the words: — member of a board of public welfare or by the institutions department in Boston.

G. L. 123, § 61, amended.

Section 232. Chapter one hundred and twenty-three of the General Laws is hereby amended by striking out section sixty-one and inserting in place thereof the following: —

Fees of officers, jurors and witnesses.

Section 61. The officer who summons and attends the jury shall receive therefor four cents a mile for all necessary travel, and one dollar and fifty cents for each day that he attends upon them; and the jurors and witnesses shall be entitled to such compensation as is prescribed for traverse jurors impanelled to try cases other than murder in the first degree and witnesses in civil actions before the courts, respectively.

G. L. 123, § 80, etc., amended.

Section 233. Section eighty of said chapter one hundred and twenty-three, as amended by section five of chapter five hundred and thirty-five of the acts of nineteen hundred and twenty-two, is hereby further amended by striking out, in the sixth line, the word "registration".

G. L. 123, § 109, amended.

Section 234. Said chapter one hundred and twenty-three is hereby further amended by striking out section one hundred and nine and inserting in place thereof the following: —

Rendition of insane persons. Payment of expenses of agent.

Section 109. If an application made under section one hundred and six for the arrest of a patient escaped from an institution in the commonwealth is granted and an agent is appointed as therein provided, his reasonable expenses shall be paid by the commonwealth from the appropriation for expenses of the institution from which the patient escaped.

G. L. 124, § 1, amended.

Section 235. Chapter one hundred and twenty-four of the General Laws is hereby amended by striking out section one and inserting in place thereof the following: —

Duties of commissioner of correction.

Section 1. The commissioner of correction, in this chapter called the commissioner, shall have the general supervision of the state prison, the Massachusetts reformatory, the prison camp and

hospital, the state prison colony, the state farm and the reformatory for women, and of jails and houses of correction. He shall make rules for the direction of the officers of such institutions in the performance of their duties, for the government, discipline and instruction of the convicts therein, for the custody and preservation of the property connected therewith, for the supply of food, clothing and bedding in the state prison, Massachusetts reformatory, prison camp and hospital, the state prison colony, state farm and reformatory for women, for teaching prisoners who are committed to a jail or house of correction for six months or more to read and write, for securing proper exercise for unemployed sentenced prisoners in jails and houses of correction, and for securing medical examination and supervision of prisoners in jails and houses of correction punished by solitary imprisonment. As soon as may be after such rules have been made the commissioner shall submit copies thereof to the governor and council, who may approve, annul or modify them. Jailers, keepers of houses of correction, county commissioners and the penal institutions commissioner of Boston shall make no rules inconsistent with the aforesaid rules. The commissioner of correction shall also from time to time cause to be printed in convenient form the rules of the board of parole and the statutes relating to the duties and powers of said board, and shall annually during the month of January cause to be mailed one copy thereof to each justice of the superior and district courts, each trial justice, each sheriff and to each master, keeper, warden or superintendent of the penal institutions in the commonwealth, and to the board of probation two hundred copies thereof.

G. L. 124, § 5, amended.

Section 236. Section five of said chapter one hundred and twenty-four is hereby amended by inserting after the word "hospital" in the third line the words: — , state prison colony.

G. L. 124, § 6, amended.

Section 237. Section six of said chapter one hundred and twenty-four is hereby amended by inserting after the word "hospital" in the third line the words: — , state prison colony.

G. L. 125, § 13, etc., amended.

Section 238. Section thirteen of chapter one hundred and twenty-five of the General Laws, as amended by section one of chapter three hundred and forty-three of the acts of nineteen hundred and twenty-six, is hereby further amended by striking out, in the eleventh line, the word "assistant".

G. L. 125, § 41A, amended.

Section 239. Section forty-one A of said chapter one hundred and twenty-five, inserted by section one of chapter two hundred and eighty-nine of the acts of nineteen hundred and twenty-seven, is hereby amended by striking out, in the tenth line, the words "of the General Laws".

G. L. 126, § 16, amended.

Section 240. Section sixteen of chapter one hundred and twenty-six of the General Laws is hereby amended by striking out all after the word "duties" in the twelfth line.

G. L. 127, § 10, amended.

Section 241. Section ten of chapter one hundred and twenty-seven of the General Laws is hereby amended by

inserting after the word "hospital" in the third line the words: — , of the state prison colony.

G. L. 131, number of section relative to capture of fur bearing animals changed from 59A to 105A.

SECTION 242. The number of the section in chapter one hundred and thirty-one of the General Laws forbidding the use of certain traps or other devices for the capture of fur bearing animals, which was inserted in said chapter by an initiative measure approved by the voters at the state election of nineteen hundred and thirty, is hereby changed from fifty-nine A to one hundred and five A.

G. L. 136, § 2, etc., amended.

SECTION 243. Section two of chapter one hundred and thirty-six of the General Laws, as most recently amended by chapter two hundred and seventy-five of the acts of the current year, is hereby further amended by striking out all after the word "sections" in the fifteenth line, and inserting in place thereof the following: — twenty-six to thirty-two, inclusive, in any city or town in which said sections twenty-six to thirty-two are then in force.

G. L. 136, new sections added.

SECTION 244. Said chapter one hundred and thirty-six is hereby further amended by adding thereto the following new sections: — *Section 26.* In any city or town wherein the corresponding provisions of this and the six following sections were in effect on the sixth day of December, nineteen hundred and twenty-eight, and which has not voted against said sections on resubmission as provided in section thirty-one, and has not accepted the provisions of sections twenty-one to twenty-five, inclusive, as provided in section twenty-one, it shall be lawful to take part in or witness any athletic outdoor sport or game, in which the contestants do not receive and have not been promised any pecuniary reward, remuneration or consideration whatsoever directly or indirectly in connection therewith, on the Lord's day between the hours of two and six in the afternoon as hereinafter provided. *Section 27.* Such sports or games shall take place on such playgrounds, parks or other places as may be designated for that purpose in a license or permit issued by the city council, with the approval of the mayor, or by the selectmen; provided, that if, under any statute or ordinance, a public playground or park is placed under the exclusive charge and authority of any other officials, such officials shall, for that playground or park, be the licensing authority; and provided, that no sport or game shall be permitted in a place, other than a public playground or park, within one thousand feet of any regular place of worship. *Section 28.* Such sports or games shall be conducted subject to such regulations and restrictions as shall be prescribed by the city council or selectmen, and the same shall be stated in the license or permit. *Section 29.* No admission fee shall be charged directly or indirectly, and no business or other enterprise shall be conducted, and no collection shall be made at any such sport or game. *Section 30.* The licensing authorities described in section twenty-seven may at any time and without previous notice revoke permits to conduct the said sports or games if they have reason to believe that any provision of sections twenty-six to twenty-

Athletic outdoor sports or games permitted in certain cities and towns, etc.

To be held only on licensed places.

Provisos.

To be conducted subject to certain regulations, etc.

No admission fee, etc.

Revocation of permits.

nine, inclusive, or of any regulation or restriction prescribed under section twenty-eight, is being or will be violated.

Resubmission to voters of §§ 26 to 32, inclusive, if, etc.

Section 31. In any city or town in which the provisions of sections twenty-six to thirty-two, inclusive, are in force, said sections shall be resubmitted to the voters at a municipal election, if a petition to that effect, signed by not less than ten per cent of the voters, is filed with the city or town clerk not less than thirty days before the election. If, upon such resubmission, a majority of the voters voting thereon vote against said sections, they shall cease to have effect in that city or town.

Limit of application of §§ 26 to 31, inclusive.

Section 32. Sections twenty-six to thirty-one, inclusive, shall not prohibit participation at other hours on the Lord's day in other outdoor exercise not involving the element of contest, nor shall they permit horse racing, automobile racing, boxing, or hunting with firearms.

G. L. 140, § 69, amended.

Section 245. Section sixty-nine of chapter one hundred and forty of the General Laws is hereby amended by striking out, in the third and fourth lines, the words "another penalty not including the revocation of a license is prescribed in sections fifty-seven to sixty-eight, inclusive" and inserting in place thereof the words: — a penalty other than the revocation of a license is prescribed therefor elsewhere in said sections.

G. L. 147, § 46, amended.

Section 246. Section forty-six of chapter one hundred and forty-seven of the General Laws is hereby amended by striking out, in the ninth line, the words "on or before the first Wednesday in January", — and by striking out, in the tenth and eleventh lines, the words ", together with any recommendations for legislation which he may deem desirable".

G. L. 149, § 1, etc., amended.

Section 247. Section one of chapter one hundred and forty-nine of the General Laws, as amended by chapter one hundred and fifty-one of the acts of nineteen hundred and twenty-five, is hereby further amended by inserting after the word "meanings:" in the third line, as printed in the General Laws, the following new paragraph: — "Assistant commissioner", the assistant commissioner of the department of labor and industries.

Definition. "Assistant commissioner."

G. L. 149, § 170, amended.

Section 248. Section one hundred and seventy of said chapter one hundred and forty-nine is hereby amended by striking out, in the eighth line, the words "supervisor of administration" and inserting in place thereof the words: — division of personnel and standardization.

G. L. 149, § 171, amended.

Section 249. Section one hundred and seventy-one of said chapter one hundred and forty-nine is hereby amended by striking out, in the fifth line, the word "director" and inserting in place thereof the word: — commissioner.

G. L. 149, § 173, amended.

Section 250. Section one hundred and seventy-three of said chapter one hundred and forty-nine is hereby amended by striking out, in the third line, the word "division" and inserting in place thereof the word: — department.

G. L. 152, § 1, cl. (6), amended.

Section 251. Section one of chapter one hundred and fifty-two of the General Laws is hereby amended by striking out clause (6) and inserting in place thereof the following: —

"Insured" or "insured person" defined.

(6) "Insured" or "insured person", an employer who has provided by insurance for the payment to his employees by an insurer of the compensation provided for by this chapter.

G. L. 152, § 1, cl. (7), amended.

Section 252. Said section one of said chapter one hundred and fifty-two is hereby further amended by striking out clause (7) and inserting in place thereof the following: —

"Insurer" defined.

(7) "Insurer", any insurance company authorized so to do which has contracted with an employer to pay the compensation provided for by this chapter.

G. L. 152, § 37, amended.

Section 253. Section thirty-seven of said chapter one hundred and fifty-two is hereby amended by striking out, in the fourth and in the sixth lines, the word "one tenth" and inserting in place thereof in each instance the word: — twenty seventieths.

G. L. 155, § 10, etc., amended.

Section 254. Chapter one hundred and fifty-five of the General Laws, as most recently amended in section ten by section seven of chapter twenty-four of the acts of nineteen hundred and twenty-nine, is hereby further amended by striking out said section ten and inserting in place thereof the following: — *Section 10.* A corporation, except one subject to chapter one hundred and fifty-six or chapters one hundred and sixty to one hundred and sixty-three, inclusive, may at a meeting duly called for the purpose, by vote of two thirds of each class of stock outstanding and entitled to vote, or, in case such corporation has no capital stock, by vote of two thirds of the persons legally qualified to vote in meetings of the corporation, or by a larger vote if its agreement of association or by-laws shall so require, change its name; provided, that no corporation subject to section twenty-six of chapter one hundred and eighty shall change its name until after approval of such change by the state secretary. Articles of amendment signed and sworn to by the president, treasurer and a majority of the directors or other officers having the powers of directors, shall within thirty days after such meeting be prepared, setting forth such amendment and the due adoption thereof. Such articles shall be submitted to the commissioner who shall examine them, and if he finds that they conform to the requirements of law, he shall so certify and endorse his approval thereon. Thereupon the state secretary shall direct the officers of the corporation to publish in such form as he may see fit, in a newspaper published in the county where the corporation has its principal office or place of business, notice of such change of name. When the state secretary is satisfied that such notice has been published as required by him, he shall, upon the payment of a fee of one dollar, grant a certificate of the name which the corporation shall bear, which name shall thereafter be its legal name, and he shall cause the articles of amendment to be filed in his office. In the case of corporations subject to chapter one hundred and seventy-five or one hundred and seventy-six, the approval of the commissioner of insurance shall be required before the commissioner of corporations and taxation approves the articles of amend-

Change of name of certain corporations.

Proviso.

Articles of amendment to be prepared, etc.

Submission to commissioner, etc.

State secretary to direct publication, etc.

To grant certificate as to name of corporation, etc.

Approval of commissioner of insurance, when required.

ment. No articles of amendment changing the name of any corporation shall take effect until they have been filed in the office of the state secretary as aforesaid. Article of amendment, when to take effect.

Section 255. Section two of chapter one hundred and fifty-six of the General Laws, as amended by section one of chapter four hundred and thirty-eight of the acts of nineteen hundred and twenty-three, is hereby further amended by striking out, in the second line, the word "subsequent" and inserting in place thereof the word: — other. G. L. 156, § 2, etc., amended.

Section 256. Section three of said chapter one hundred and fifty-six is hereby amended by striking out the last sentence and inserting in place thereof the following: — If the commissioner finds that it conforms to the requirements of law, he shall endorse his approval thereon, and, upon payment of the fee provided in section fifty-five, it shall be filed in the office of the state secretary; and thereupon such corporation with its members and officers shall be entitled to all the rights, privileges and immunities and be subject to all the liabilities set forth in this chapter and in the provisions of chapter one hundred and fifty-five applicable to corporations subject to this chapter, and no stockholder in such corporation shall be liable for debts of the corporation contracted after the filing of the copy of such vote except for the causes and in the manner provided in this chapter. G. L. 156, § 3, amended. Adoption by existing corporations of provisions of business corporation law. Filing of vote, etc.

Section 257. Section forty-one of chapter one hundred and fifty-eight of the General Laws is hereby amended by striking out, in the ninth and tenth lines, the words ", who shall receive and record the same in books to be kept for the purpose", — by inserting after the word "certificate" in the thirteenth line the words: — or copy, — by striking out, in the fourteenth line, the word "return" and inserting in place thereof the words: — certificate or copy. G. L. 158, § 41, amended.

Section 258. Section one hundred and forty-five of chapter one hundred and sixty-one of the General Laws is hereby amended by inserting after the word "of" in the nineteenth line the words: — chapter one hundred and sixty-one of. G. L. 161, § 145, amended.

Section 259. Section sixteen of chapter one hundred and sixty-four of the General Laws is hereby amended by striking out, in the second line, the words "or bonds" and inserting in place thereof the words: — , bonds or other securities. G. L. 164, § 16, amended.

Section 260. Said chapter one hundred and sixty-four is hereby further amended by striking out section seventeen and inserting in place thereof the following: — *Section 17.* A director, treasurer or other officer or agent of a gas or electric company who knowingly votes to authorize the issue of, or knowingly signs, certifies or issues, stock, bonds or other securities contrary to any provision of section fourteen or sixteen, or who knowingly votes to authorize the application of, or knowingly applies, the proceeds of such stock, bonds or other securities contrary to any said provision, or who knowingly votes to assume or incur, or knowingly assumes or incurs in the name or behalf of such corporation, G. L. 164, § 17, amended. Penalty for unlawful issue of stock, etc., of gas and electric companies.

any debt or liability except for the legitimate purposes of the corporation, shall be punished by a fine of not more than one thousand dollars or by imprisonment for not more than one year, or both.

G. L. 168, § 23, amended.

SECTION 261. Section twenty-three of chapter one hundred and sixty-eight of the General Laws is hereby amended by striking out, in the eighth line, the words "of the oath for the relief of poor debtors", — and inserting in place thereof the following: — who on examination on supplementary process has been found unable to pay a judgment.

G. L. 168, § 43, etc., amended.

SECTION 262. Said chapter one hundred and sixty-eight, as amended in section forty-three by section eighty-seven of chapter three hundred and sixty-two of the acts of nineteen hundred and twenty-three, is hereby further amended by striking out said section forty-three and inserting in place thereof the following: — *Section 43.* Any person claiming a right to money deposited with the state treasurer under either of the two preceding sections pursuant to a decree of a probate court or a court of insolvency in any county may establish the same by a petition to the probate court of such county, or if so deposited pursuant to the order of any other court, by a petition to the superior court under section one of chapter two hundred and fifty-eight; provided, that in cases where claims amount to less than fifty dollars each, the claims may be presented to the comptroller, who shall examine the same and allow and certify for payment such as may be proved to his satisfaction.

Unclaimed savings bank deposits paid to state treasurer, how reclaimed.

Proviso.

G. L. 172, § 31, amended.

SECTION 263. Section thirty-one of chapter one hundred and seventy-two of the General Laws is hereby amended by adding at the end thereof the following: — The provisions of sections forty-two and forty-three of chapter one hundred and sixty-eight applicable to unclaimed deposits in savings banks shall apply in all respects to similar unclaimed deposits in all departments of trust companies.

Provisions of G. L. 168, §§ 42 and 43 applicable to trust companies.

G. L. 172, § 50, amended.

SECTION 264. Said chapter one hundred and seventy-two is hereby further amended by striking out section fifty and inserting in place thereof the following: — *Section 50.* A court of law or equity or a probate court of the commonwealth, may direct that money or property under its control, or which may be paid into court by parties to any legal proceedings, or which may be brought into court by reason of an order or judgment, be deposited with such corporation, upon such terms and subject to such instructions as the court may prescribe. When money so deposited has remained unclaimed for more than ten years, the court may upon motion of the attorney general order and decree that it shall be paid over to the state treasurer to be held by him under the terms of said order or decree, and upon the entry of such order or decree the corporation shall pay over money so deposited and specified in the order to the state treasurer, to be held by him as aforesaid; and if any person shall establish a lawful right thereto the said treasurer shall repay the same to such person, with interest at the rate of three

Deposit with trust companies by authority of court, etc.

Unclaimed deposits to be paid to state treasurer.

per cent per annum from the time when paid to said treasurer to the time when it is paid over by him to such person. Any person claiming the right to money deposited with the state treasurer under this section pursuant to a decree of a probate court or a court of insolvency in any county may establish the same by a petition to the probate court of such county, or, if so deposited pursuant to the order of any other court, by a petition to the superior court under section one of chapter two hundred and fifty-eight; provided, that in cases where claims amount to less than fifty dollars each, the claims may be presented to the comptroller, who shall examine the same and allow and certify for payment such as may be proved to his satisfaction. Such corporation may also hold money or property in trust or on deposit from executors, administrators, assignees, guardians, conservators and trustees, upon such terms and conditions as may be agreed upon.

How such deposits may be reclaimed.

Proviso.

Trust company may hold money or property in trust, etc.

Section 265. Section two of chapter one hundred and sixty-nine of the General Laws, as most recently amended by section two of chapter one hundred and eighty-two of the acts of nineteen hundred and twenty-nine, is hereby further amended by striking out, in the twenty-second line, the word "been".

G. L. 169, § 2, etc., amended.

Section 266. Section four of said chapter one hundred and sixty-nine is hereby amended by adding at the end thereof the following: — ; and also of any money or securities deposited in lieu of sureties as provided in section three.

G. L. 169, § 4, amended.

Section 267. Section eighteen of chapter one hundred and seventy of the General Laws is hereby amended by striking out the last paragraph of the notice contained therein and also by inserting immediately after the end of said notice the following new paragraph: — The directors may, under rules made by them, retire matured shares at any time and in such order and manner as they may provide.

G. L. 170, § 18, amended.

Retirement of shares in co-operative banks.

Section 268. Section forty-eight of said chapter one hundred and seventy is hereby amended by striking out, in the first to fourth lines, inclusive, the words ", except foreign associations and corporations duly licensed by the commissioner prior to April fourteenth, eighteen hundred and ninety-six, to transact business in this commonwealth,".

G. L. 170, § 48, amended.

Section 269. Section forty-nine of said chapter one hundred and seventy is hereby amended by striking out the first two sentences.

G. L. 170, § 49, amended.

Section 270. Section fifty-one of chapter one hundred and seventy-two of the General Laws is hereby amended by striking out, in the fifth line, the words "state or".

G. L. 172, § 51, amended.

Section 271. Chapter one hundred and fifteen of the Revised Laws is hereby repealed.

R. L. 115, repealed.

Section 272. Section three of chapter one hundred and seventy-five of the General Laws, as most recently amended by section two of chapter twenty-four of the acts of nineteen hundred and twenty-nine, is hereby further amended by

G. L. 175, § 3, etc., amended.

adding thereto the following:—, or except as otherwise expressly authorized by law.

G. L. 175, § 19, repealed.

SECTION 273. Section nineteen of said chapter one hundred and seventy-five is hereby repealed.

G. L. 175, § 56, etc., amended.

SECTION 274. Section fifty-six of said chapter one hundred and seventy-five, as most recently amended by section six of chapter twenty-four of the acts of nineteen hundred and twenty-nine, is hereby further amended by striking out, in the twelfth line, "*(b)*" and inserting in place thereof the following: — *(d)*.

G. L. 175, § 130, amended.

SECTION 275. Said chapter one hundred and seventy-five is hereby amended by striking out section one hundred and thirty and inserting in place thereof the following: —

Dating of life, etc., policies.

Section 130. No policy of life or endowment insurance shall be issued or delivered in the commonwealth if it shall purport to be issued or to take effect at an age lower, and no annuity or pure endowment contract shall be so issued or delivered if it shall purport to be issued or to take effect at an age higher, than the age of the applicant at his nearest birthday at the time of the original written application.

G. L. 181, § 11, amended.

SECTION 276. Section eleven of chapter one hundred and eighty-one of the General Laws is hereby amended by striking out, in the second and third lines, the words "and foreign corporations engaged in the business of selling or negotiating bonds, mortgages, notes or other choses in action" and inserting in place thereof the words: — other than those required by section eleven of chapter one hundred and sixty-six to make annual returns to the department of public utilities.

G. L. 181, § 12, amended.

SECTION 277. Section twelve of said chapter one hundred and eighty-one is hereby amended by inserting after the word "corporation" in the first line the words: — , other than one which is required by section eleven of chapter one hundred and sixty-six to make annual returns to the department of public utilities.

G. L. 182, § 1, etc., amended.

SECTION 278. Chapter one hundred and eighty-two of the General Laws, as amended in section one by section one of chapter two hundred and ninety of the acts of nineteen hundred and twenty-six, is hereby further amended by striking out section one of said chapter one hundred and eighty-two and inserting in place thereof the following: —

Definitions.

Section 1. The following words, as used in this chapter, shall, except as otherwise expressly provided in section two A,

"Association."

have the following meanings: "Association", a voluntary association under a written instrument or declaration of trust, the beneficial interest under which is divided into

"Commissioner."

transferable certificates of participation or shares. "Commissioner", the commissioner of corporations and taxation.

"Department."

"Department", the department of public utilities. When used in sections two to seven, inclusive, of this chapter, the

"Trust."

word "trust" shall, except as otherwise expressly provided in section two A, mean a trust operating under a written instrument or declaration of trust, the beneficial interest

under which is divided into transferable certificates of participation or shares, other than a trust established for the sole purpose of exercising the voting rights pertaining to corporate stock or other securities in accordance with the terms of a written instrument.

G. L. 191, § 25, amended.

Section 279. Section twenty-five of chapter one hundred and ninety-one of the General Laws is hereby amended by striking out, in the first line, the words "posthumous child or a" and by striking out, in the second line, the words "or twenty-one".

G. L. 191, § 28, amended.

Section 280. Section twenty-eight of said chapter one hundred and ninety-one is hereby amended by striking out, in the first line, the words "posthumous child or a", — by striking out, in the second line, the words "or twenty-one", — and also by inserting after the word "sections" in the fourth line the words: — and section thirty.

G. L. 211, § 22, etc., amended.

Section 281. Section twenty-two of chapter two hundred and eleven of the General Laws, as amended by section one of chapter two hundred and ninety-five of the acts of nineteen hundred and twenty-eight, is hereby further amended by striking out all after the word "duties" in the seventh line.

G. L. 214, § 23, amended.

Section 282. Chapter two hundred and fourteen of the General Laws is hereby amended by striking out section twenty-three and inserting in place thereof the following: —

Report of facts.

Section 23. The justice of either court by whom a decree was made shall report the material facts found by him, on request of any party entitled to appeal therefrom made within four days after such party has been notified of the entry of the decree; otherwise, such report shall be in the discretion of the justice.

G. L. 215, § 11, amended.

Section 283. Chapter two hundred and fifteen of the General Laws is hereby amended by striking out section eleven and inserting in place thereof the following: —

Report of facts.

Section 11. The judge by whom an order, decree or denial was made shall report the material facts found by him, on request of any party entitled to appeal therefrom made within four days after such party has notice of such order, decree or denial; otherwise such report shall be in the discretion of the judge.

G. L. 217, § 4, amended.

Section 284. Section four of chapter two hundred and seventeen of the General Laws is hereby amended by striking out, in the second line, the words ", in this chapter called the register".

G. L. 217, § 26, amended.

Section 285. Section twenty-six of said chapter two hundred and seventeen is hereby amended by striking out, in the first line, the words "or third" and inserting in place thereof the words: —, third or fourth.

G. L. 218, § 16, etc., amended.

Section 286. Section sixteen of chapter two hundred and eighteen of the General Laws, as amended by section one of chapter one hundred and ninety-one of the acts of nineteen hundred and twenty-six, is hereby further amended by striking out, in the first and second lines, the words ", or, if no clerk is required by law, the justice," and by striking out,

in the sixth line, the words "a justice of the superior" and inserting in place thereof the words: — the justice of such.

G. L. 218, § 17, amended.

SECTION 287. Section seventeen of said chapter two hundred and eighteen is hereby amended by striking out, in the third line, the word "had" and inserting in place thereof the word: — has.

G. L. 219, § 23, amended.

SECTION 288. Section twenty-three of chapter two hundred and nineteen of the General Laws is hereby amended by inserting after the word "vehicle" in the second line the words: — , other than a motor vehicle.

G. L. 220, § 6, amended.

SECTION 289. Section six of chapter two hundred and twenty of the General Laws is hereby amended by striking out the comma in the first line and inserting in place thereof the word: — or, — by striking out, in the second line, the words "or the following day if a holiday occurs on Sunday", — and by inserting after the word "thirteen" in the third line the word: — or.

G. L. 220, § 18, amended.

SECTION 290. Section eighteen of said chapter two hundred and twenty is hereby amended by striking out, in the third line, the words "and places".

G. L. 221, § 34, repealed.

SECTION 291. Section thirty-four of chapter two hundred and twenty-one of the General Laws is hereby repealed.

G. L. 221, § 62, etc., amended.

SECTION 292. Section sixty-two of said chapter two hundred and twenty-one, as amended by section one of chapter two hundred and eighty-five of the acts of nineteen hundred and twenty-nine, is hereby further amended by inserting after the word "clerk" in the second line the words: — or register.

G. L. 221, § 62A, amended.

SECTION 293. Section sixty-two A of said chapter two hundred and twenty-one, inserted by section two of said chapter two hundred and eighty-five, is hereby amended by inserting after the word "clerk" in the tenth line the words: — or register.

G. L. 222, § 1, amended.

SECTION 294. Section one of chapter two hundred and twenty-two of the General Laws is hereby amended by striking out, in the third and fourth lines, the words "except as provided in section thirty-six of chapter two hundred and eighteen" and inserting in place thereof the words: — when acting under the sole authority of such a commission.

G. L. 223, § 40, amended.

Service on certain voluntary associations.

SECTION 295. Chapter two hundred and twenty-three of the General Laws is hereby amended by striking out section forty and inserting in place thereof the following: — *Section 40.* In an action against a voluntary association or trust described in section one of chapter one hundred and eighty-two, engaged in business in the commonwealth, service may be made upon any trustee or like officer thereof.

G. L. 223, § 44, amended.

SECTION 296. Section forty-four of said chapter two hundred and twenty-three is hereby amended by striking out, in the fourth line, the words "of record," and inserting in place thereof the word: — or, — and by striking out, in the fifth line, the following "or, except in Suffolk county, a trial justice".

G. L. 223, § 120, amended.

SECTION 297. Said chapter two hundred and twenty-three is hereby further amended by striking out section one hun-

dred and twenty and inserting in place thereof the following: — *Section 120.* A defendant whose property has been attached on mesne process in a civil action may, at any time before final judgment, dissolve the attachment by giving a bond with sufficient sureties, who shall be approved by the plaintiff or by his attorney in writing, by a master in chancery or by a justice of a court if the attachment is made within the jurisdiction of such justice, conditioned to pay to the plaintiff, within thirty days after the final judgment in such action, such amount, if any, as he may recover; and also to pay to the plaintiff, within thirty days after the entry of any special judgment in accordance with the provisions of chapter two hundred and thirty-five, the amount, if any, for which such special judgment shall be entered. Sureties shall not be sufficient unless they are satisfactory to the plaintiff, or unless the magistrate finds that each, if there are only two, is worth, in excess of his indebtedness, an amount equal to that for which the attachment is laid; or, if there are more than two, that they are together worth twice such amount.

Attachments on property dissolved by giving bond.

Section 298. Section six of chapter two hundred and twenty-four of the General Laws, as appearing in section two of chapter three hundred and thirty-four of the acts of nineteen hundred and twenty-seven and as amended by section one of chapter one hundred and thirty-seven of the acts of the current year, is hereby further amended by adding at the end of the second paragraph the following sentence: — No arrest on execution shall be made after sunset unless expressly authorized in the certificate for cause, — and also by adding at the end of said section the following paragraph: — Any recognizance authorized by this chapter may be accepted on Sunday.

G. L. 224, § 6, etc., amended.

No arrest on execution after sunset.

Recognizance.

Section 299. Section seven of chapter two hundred and twenty-six of the General Laws is hereby amended by inserting before the word "notice" in the second line the words: — summons or further, — by striking out, in the third line, the word "nine" and inserting in place thereof the word: — fourteen, — and by inserting before the word "notice" in the fourth line the words: — summons or.

G. L. 226, § 7, amended.

Section 300. Section one hundred and fifteen of chapter two hundred and thirty-one of the General Laws, as amended by chapter five of the acts of nineteen hundred and twenty-three, is hereby further amended by inserting after the word "sixty-one" in the fifth line the words: — or sixty-two.

G. L. 231, § 115, etc., amended.

Section 301. Section one hundred and thirty-five of said chapter two hundred and thirty-one, as amended by section one of chapter two hundred and sixty-five of the acts of nineteen hundred and twenty-nine and by chapter two hundred and nineteen of the acts of the current year, is hereby further amended by striking out, in the fifth and sixth lines, as printed in said section one of said chapter two hundred and sixty-five, the words "the municipal court of the city of Boston or an appellate division of any other"

G. L. 231, § 135, etc., amended.

and inserting in place thereof the word: — any, — by inserting after the word "clerk" in the seventh line, as so printed, the words: — , recorder, register or other appropriate official, — and by inserting after the word "appeals" in the twenty-third line, as so printed, the following: — from the appellate division of the municipal court of the city of Boston.

G. L. 231, § 146, etc., amended.

SECTION 302. Section one hundred and forty-six of said chapter two hundred and thirty-one, as amended by section two of chapter three hundred and eighty-one of the acts of nineteen hundred and twenty-six, is hereby further amended by inserting after the word "fifty-eight" in the fourth line the words: — , fifty-nine A, sixty A.

G. L. 234, § 38, amended.

SECTION 303. Chapter two hundred and thirty-four of the General Laws is hereby amended by striking out section thirty-eight and inserting in place thereof the following: —

Penalty for soliciting placing name on jury list.

Section 38. Whoever solicits or requests a registrar of voters, a selectman or an election commissioner to put his or any other name upon a jury list shall be punished by a fine of not more than five hundred dollars or imprisonment for not more than one year.

G. L. 239, § 3, amended.

SECTION 304. Section three of chapter two hundred and thirty-nine of the General Laws is hereby amended by striking out, in the first line, the word "If" and inserting in place thereof the following: — Except as hereinafter provided, if.

G. L. 253, § 15, amended.

SECTION 305. Section fifteen of chapter two hundred and fifty-three of the General Laws is hereby amended by striking out, in the fourth line, the word "twenty" and inserting in place thereof the words: — one hundred.

G. L. 262, § 4, etc., amended.

SECTION 306. Section four of chapter two hundred and sixty-two of the General Laws, as most recently amended by section three of chapter three hundred and thirty-four of the acts of nineteen hundred and twenty-seven, is hereby further amended by striking out, in the third and fourth lines of the first paragraph appearing in said section three, the words ", if any, of the court, otherwise to the justice,".

G. L. 266, § 122, amended.

SECTION 307. Section one hundred and twenty-two of chapter two hundred and sixty-six of the General Laws is hereby amended by inserting after the word "land" in the second line the words: — , or other property described in section one hundred and twenty.

G. L. 266, § 123, amended.

SECTION 308. Section one hundred and twenty-three of said chapter two hundred and sixty-six is hereby amended by inserting after the word "prison", in the second line, the words: — , state prison colony, — and by striking out, in the fourth line, the words ", Norfolk state hospital".

G. L. 266, § 129, amended.

SECTION 309. Section one hundred and twenty-nine of said chapter two hundred and sixty-six is hereby amended by inserting after the word "prison" in the first line the words: — or state prison colony, — and by inserting after the word "prison" in the third line the words: — or colony.

G. L. 268, § 6, amended.

SECTION 310. Section six of chapter two hundred and sixty-eight of the General Laws is hereby amended by strik-

ing out, in the tenth line, the word "commissioners" and inserting in place thereof the words: — said commissioner.

G. L. 268, § 30, amended.

Section 311. Section thirty of said chapter two hundred and sixty-eight is hereby amended by inserting after the word "prison" in the first line the words: —, state prison colony.

G. L. 268, § 33, etc., amended.

Section 312. Section thirty-three of said chapter two hundred and sixty-eight, as most recently amended by chapter twenty-one of the acts of nineteen hundred and thirty, is hereby further amended by inserting after the word "peace" in the third line the following: — , notary public.

G. L. 272, § 62, amended.

Section 313. Chapter two hundred and seventy-two of the General Laws is hereby amended by striking out section sixty-two and inserting in place thereof the following: —

Nightwalking. Third conviction.

Section 62. If a complaint charges a person with being a common nightwalker, and it is proved at the trial that such person has been twice before convicted of the same offence, such person may be sentenced to the house of correction for not more than two and one half years or to the state farm.

G. L. 272, § 64, amended.

Section 314. Section sixty-four of said chapter two hundred and seventy-two is hereby amended by adding at the end thereof the following: — , but notwithstanding the foregoing a tramp found carrying a firearm or other dangerous weapon in violation of section ten of chapter two hundred and sixty-nine may be prosecuted and punished thereunder.

Punishment of tramps.

G. L. 272, § 71, amended.

Section 315. Said chapter two hundred and seventy-two is hereby further amended by striking out section seventy-one and inserting in place thereof the following: —

Violation of sepulture.

Section 71. Whoever, not being lawfully authorized by the proper authorities, wilfully digs up, disinters, removes or conveys away a human body, or the remains thereof, or knowingly aids in such disinterment, removal or conveying away, and whoever is accessory thereto either before or after the fact, shall be punished by imprisonment in the state prison for not more than three years or in jail for not more than two and one half years or by a fine of not more than two thousand dollars.

G. L. 280, § 2, amended.

Section 316. Section two of chapter two hundred and eighty of the General Laws is hereby amended by striking out the last sentence and inserting in place thereof the following: — This section shall not apply to fines payable into the state treasury under section thirty-four of chapter ninety.

Application of section.

Approved June 9, 1931.

An Act authorizing the city of boston to pay an annuity to or for the benefit of the widow and children of frank j. comeau. *Chap.* 427

Be it enacted, etc., as follows:

City of Boston may pay an annuity to or for the benefit of the widow and children of Frank J. Comeau.

Section 1. The city of Boston may pay an annuity under the provisions of section eighty-nine of chapter thirty-two of the General Laws, as most recently amended by section one of chapter two hundred and forty-one of the acts of nineteen hundred and thirty, to or for the benefit of the widow or for

the benefit of the children of Frank J. Comeau, who was killed March twenty-fourth, nineteen hundred and twenty-six while in the performance of duty as a member of its police department, to the same extent as if the provisions of said section eighty-nine, as so amended, had been in effect in said city on said date; provided, that on and after the effective date of this act no payments shall be made to said widow or for the benefit of said children under the provisions of chapter one hundred and seventy-eight of the acts of eighteen hundred and eighty-seven, as amended.

Submission to city council, etc.

SECTION 2. This act shall take effect upon its acceptance during the current year by vote of the city council of said city, subject to the provisions of its charter.

(*The foregoing was laid before the governor on the third day of June, 1931, and after five days it had "the force of a law", as prescribed by the constitution, as it was not returned by him with his objections thereto within that time.*)

Chap. 428 AN ACT RELATIVE TO THE DETERMINATION OF LOCAL TAX RATES.

Emergency preamble.

Whereas, The deferred operation of this act would, in part, defeat its purpose, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

G. L. 58, § 19, repealed.

SECTION 1. Section nineteen of chapter fifty-eight of the General Laws is hereby repealed.

G. L. 58, new section after § 25.

In determination of local tax rates, assessors to include certain amount in estimated receipts.

SECTION 2. Said chapter fifty-eight is hereby further amended by inserting after section twenty-five the following new section: — *Section 25A*. Annually on or before August first the commissioner shall, upon the basis of the information then in his possession, estimate the amount each town is to receive under section seventeen, and sections eighteen to twenty-five, inclusive, of this chapter and sections five and six of chapter sixty-three and notify the assessors of such town thereof. Said assessors, in determining the rate of taxation to be levied upon taxable property for the year, shall include in the estimated receipts lawfully applicable to the payment of expenditures the aforesaid amount.

G. L. 59, § 23, etc., amended.

SECTION 3. Chapter fifty-nine of the General Laws, as most recently amended in section twenty-three by section five of chapter three hundred and seventy-nine of the acts of nineteen hundred and twenty-eight, is hereby further amended by striking out said section twenty-three and inserting in place thereof the following: — *Section 23*. The assessors shall annually assess taxes to an amount not less than the aggregate of all amounts appropriated, granted or lawfully expended by their respective towns since the last preceding annual assessment and not provided for therein, of all amounts required by law to be raised by taxation by said towns during said year, of all debt and interest charges

Fixing of tax rates of cities and towns.

matured and maturing during the year and not otherwise provided for, of all amounts necessary to satisfy final judgments against said towns, and of all abatements granted on account of the tax assessment of any year in excess of the overlay of that year and not otherwise provided for; but such assessments shall not include liabilities for the payment of which towns have lawfully voted to contract debts. The assessors may deduct from the amount required to be assessed the amount of all estimated receipts of their respective towns lawfully applicable to the payment of the expenditures of the year, excluding sums to be received from the commonwealth or county for highway purposes and excluding estimated receipts from loans and taxes but including, however, estimated receipts from the excise levied under chapter sixty A and receipts estimated by the commissioner under section twenty-five A of chapter fifty-eight. Deductions made by the assessors on account of estimated receipts other than those estimated by the commissioner as aforesaid shall not exceed the aggregate amount of actual receipts received during the preceding financial year from the same sources, and deductions shall not be made on account of available funds, unless in either case approval in writing shall have been obtained from the commissioner.

Section 4. This act shall take effect as of January first of the current year. Effective date. *Approved June 10, 1931.*

An Act relative to the issue by local authorities of licenses to minors for the sale of fresh fruit and vegetables and certain other articles of food. *Chap.* 429

Whereas, The deferred operation of this act would, in part, defeat its purpose, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience. Emergency preamble.

Be it enacted, etc., as follows:

Section seventeen of chapter one hundred and one of the General Laws, as most recently amended by chapter two hundred and seventy-eight of the acts of nineteen hundred and thirty-one, is hereby further amended by inserting after the word "vegetables" in the tenth line the words: —, whether adults or minors, — so as to read as follows: — *Section 17.* Hawkers and pedlers may sell without a license newspapers, religious publications, ice, flowering plants, and such flowers, fruits, nuts and berries as are wild or uncultivated. The aldermen or selectmen may by regulations, not inconsistent with this chapter, regulate the sale or barter, and the carrying for sale or barter or exposing therefor, by hawkers and pedlers, of said articles without the payment of any fee; may in like manner require hawkers and pedlers of meats, butter, cheese, fish, and fresh fruit or vegetables, whether adults or minors, to be licensed except as otherwise provided, and may make regulations governing the same, G. L. 101, § 17, etc., amended. Selling of certain articles permitted without a license, etc. Licensing of certain hawkers and pedlers, etc.

Proviso.

Penalty.

provided that the license fee does not exceed that prescribed by section twenty-two for a license embracing the same territorial limits; and may in like manner affix penalties for violations of such regulations not to exceed the sum of twenty dollars for each such violation. A hawker and pedler of meats, butter, cheese, fish, or fresh fruit and vegetables licensed under this section need not be licensed under section twenty-two. *Approved June 10, 1931.*

Chap. 430 AN ACT AUTHORIZING THE SELECTMEN OF THE TOWN OF MARBLEHEAD TO ACT AS A BOARD OF PUBLIC WORKS EXERCISING THE POWERS OF THE BOARDS OF WATER AND SEWER COMMISSIONERS AND THE SURVEYOR OF HIGHWAYS.

Be it enacted, etc., as follows:

Selectmen of town of Marblehead to act as a board of public works exercising the powers of certain boards, etc.

SECTION 1. The board of selectmen of the town of Marblehead, as constituted from time to time, from and after the annual election at which this act becomes fully effective as provided in section four, shall also be a board of public works, and in said capacity shall have and exercise, under the designation of selectmen, all the powers and duties now or from time to time vested by general law in the following boards and office in said town, to wit: The board of sewer commissioners, the board of water commissioners and the surveyor of highways; and such boards and office shall thereupon be abolished during the time that this act is in operation. No contracts or liabilities then in force shall be affected by such abolition, but the selectmen, acting as said board of public works, shall in all respects be the lawful successor of the boards and office so abolished.

Superintendent of public works, duties, etc.

SECTION 2. The selectmen shall appoint, and fix the compensation of, a superintendent of public works, who shall administer, under the supervision and direction of the selectmen, such departments of the town under their control as they may designate. He shall be responsible for the efficient administration of all such departments and shall hold office subject to the will of the selectmen. He shall be specially fitted by education, training and experience to perform the duties of said office. During his tenure he shall hold no elective or other appointive office, nor shall he be engaged in any other business or occupation. He shall give bond for the faithful performance of his duties, in such sum and with such surety or sureties as the selectmen may require. The selectmen shall appoint such other assistants, agents and employees as the performance of the duties of such departments may require. The superintendent shall keep full and complete records of the doings of his office and render to the selectmen as often as they may require a full report of all operations under his control during the period reported upon; and annually, or from time to time as required by the selectmen, he shall make a synopsis of all such reports for publication. He shall keep the selectmen fully advised as to the needs of

Bond.

Report to selectmen, etc.

the town within the scope of his duties and shall furnish to the selectmen, on or before January fifth in each year, a carefully prepared and detailed estimate in writing of the appropriations required during the ensuing fiscal year for the proper conduct of all departments of the town under his supervision.

Town may rescind actions, etc.

Section 3. In accordance with the provisions of section twenty-three of chapter forty-one of the General Laws, the said town, at any time after three years following the annual town meeting at which this act becomes effective, may rescind, in whole or in part, all action taken under its provisions.

Submission to voters, etc.

Section 4. This act shall be submitted to the legal voters of said town at its annual town election in the year nineteen hundred and thirty-two, in the form of the following question which shall be placed on the official ballot to be used for the election of town officers at said election: — "Shall an act of the general court in the year nineteen hundred and thirty-one, entitled 'An Act authorizing the selectmen of the town of Marblehead to act as a board of public works exercising the powers of boards of water and sewer commissioners and the surveyor of highways', be accepted?" If a majority of the votes cast in answer to said question are in the affirmative this act shall thereupon take effect; otherwise it shall not take effect. *Approved June 10, 1931.*

An Act giving the city council of the city of Quincy the right to disapprove the granting in said city of certain licenses relative to explosives and inflammables. *Chap* 431

Be it enacted, etc., as follows:

City council of city of Quincy may disapprove the granting of certain licenses relative to explosives, etc.

Section 1. The city council of the city of Quincy, at any time during the pendency before the board of license commissioners of said city of any application under section thirteen of chapter one hundred and forty-eight of the General Laws, as appearing in section one of chapter three hundred and ninety-nine of the acts of nineteen hundred and thirty, for a license to store within said city gasoline or other inflammable fluids and explosives and inflammable compounds named in section nine of said chapter one hundred and forty-eight, or any of them, may disapprove the granting of the same; and upon such disapproval the application for such license shall be refused by said board.

Inconsistent provisions not applicable.

Section 2. Any provision of general or special law inconsistent with the provisions of this act shall not apply to said city of Quincy after the effective date hereof.

Submission to voters, etc.

Section 3. This act shall be submitted for acceptance to the registered voters of the city of Quincy at the municipal election in the current year in the form of the following question which shall be placed upon the official ballot to be used in said city at said election: — "Shall an act passed by the general court in the year nineteen hundred and thirty-

one, entitled 'An Act giving the City Council of the City of Quincy the Right to disapprove the Granting in Said City of Certain Licenses relative to Explosives and Inflammables', be accepted?" If a majority of the votes cast on said question are in the affirmative, this act shall thereupon take effect, but not otherwise. *Approved June 10, 1931.*

Chap. 432 AN ACT TO RELIEVE COUNTIES OF FINANCIAL OBLIGATION IN RELATION TO THE LAYING OUT AND CONSTRUCTION OF STATE HIGHWAYS.

Be it enacted, etc., as follows:

G. L. 81, § 9, as amended, repealed

Section nine of chapter eighty-one of the General Laws, as most recently amended by section twenty-one of chapter three hundred and ninety-four of the acts of the current year, is hereby repealed. *Approved June 10, 1931.*

Chap. 433 AN ACT REGULATING THE RECEPTION AND PLACING IN FAMILIES OF CHILDREN FROM WITHOUT THE COMMONWEALTH.

Be it enacted, etc., as follows:

G. L. 119, new section after § 30.

Reception and placing in families of children from without the commonwealth, regulated.

Chapter one hundred and nineteen of the General Laws is hereby amended by inserting after section thirty the following new section: — *Section 30A.* No person or institution shall bring or cause to be brought into the commonwealth, or receive therein, from any other state, province or country, any child for the purpose of placing or boarding, or of procuring the placing or boarding of such child, in a family or home within the commonwealth, with a view to adoption, guardianship, custody or care by any person other than one related to him by blood or marriage, without first obtaining a permit therefor from the department. Such a permit shall not issue until a written application therefor has been filed with the department on forms by it prepared, containing such information relative to such child as the department may require, accompanied by an individual or blanket bond running to the commonwealth in such penal sum and with such surety or sureties as the department may approve, conditioned on the following: (1) that all statements contained in such an application are true in substantial particulars; (2) that any such child becoming a public charge during his minority shall be removed from the state not later than thirty days after notice from the department; (3) that such child shall be removed from the state immediately upon his release from any penal or reformatory institution or training school to which he has been committed, within three years of his arrival within the state, for juvenile delinquency or crime; (4) that such child shall be placed or boarded under such agreement as will secure to him a proper home and surroundings, and as will render his custodian responsible for his proper care, education and training, under adequate supervision and subject to annual

visitation by an agent; and (5) that such reports relative to the child shall be made to the department as it may require. In case of a breach of any condition of such a bond, the attorney general, upon request of the department, shall put the bond in suit, and the commonwealth or any city or town thereof shall be reimbursed from the proceeds for any expense incurred by reason of a breach of any such condition. Violation of this section shall be punished by a fine of not more than one hundred dollars or by imprisonment for not more than six months, or both. Penalty.

Approved June 10, 1931.

An Act to regulate the fees of collectors of taxes. *Chap.* 434

Be it enacted, etc., as follows:

Chapter sixty of the General Laws is hereby amended by striking out section fifteen and inserting in place thereof the following: — *Section 15.* The collector shall, unless removed from office or unless his tax list has been transferred to his successor, complete the collection of the taxes committed to him, notwithstanding the expiration of the term of office for which he was elected or appointed. The following charges and fees, and no other, when accrued, shall severally be added to the amount of the tax and collected as a part thereof: — G. L. 60, § 15, amended. Fees of collectors of taxes regulated.

1. For the written demands provided for by law, thirty-five cents;

2. For preparing advertisement of sale, fifty cents for each parcel of real estate included in the advertisement;

3. For advertisement of sale in newspapers, the cost thereof;

4. For posting notices of sale, fifty cents for each parcel of real estate or lot of goods included in the notice;

5. For affidavit, twenty-five cents for each parcel of land included therein;

6. For recording affidavit, one dollar for each parcel of land included therein;

7. For preparing deed, two dollars;

8. For each hour's time, or part thereof, actually expended in selling as certified by him under section fifty-one, two dollars;

9. For a warrant to distrain or arrest, fifty cents;

10. For distraining goods, one dollar and the cost thereof;

11. For notice of warrant if collection is made without service or arrest, one dollar;

12. For selling goods distrained, the cost thereof;

13. For arresting the body, two dollars and travel at the rate of eight cents per mile from the office of the collector to the place where the arrest is made, but in no event more than five dollars;

14. For custody of the body arrested, four dollars;

15. For service of demand and notice under section fifty-three, if served in the manner required by law for the service

of subpœnas on witnesses in civil cases, fifty cents and travel at the rate of eight cents per mile from the office of the collector to the place where service is made, but in no event more than five dollars.

Collector accountable to town treasurer for fees collected, etc.

The collector shall account to the town treasurer for all charges and fees collected by him; but the town shall reimburse or credit him for all expenses incurred by him hereunder, including all lawful charges and fees paid or credited by him for collecting taxes. *Approved June 10, 1931.*

Chap. 435 An Act relative to an income tax on sales of certain intangibles and other property.

Be it enacted, etc., as follows:

G. L. 62, § 5, subsection (*c*), etc., amended.

Section 1. Section five of chapter sixty-two of the General Laws, as most recently amended by section one of chapter two hundred and seventeen of the acts of nineteen hundred and twenty-eight, is hereby further amended by striking out subsection (*c*) and inserting in the place thereof the following: —

Tax on excess of gains, etc., from purchases, etc., of intangible personal property, etc.

(*c*) The excess of the gains over the losses received by the taxpayer from purchases or sales of intangible personal property, whether or not said taxpayer is engaged in the business of dealing in such property, shall be taxed at the rate of three per cent per annum. When shares of new stock of the company issuing the same received as a stock dividend or shares of stock which were the basis of such stock dividend are sold, the basis of determination of the gain or loss shall be the cost when acquired by purchase or value when acquired by gift of the stock which was the basis of such stock dividend, apportioned over the old and new shares of such company held after the receipt of such stock dividend. For the purposes of this clause, the cost of rights to subscribe to corporate securities and similar rights issued by unincorporated associations shall be taken as zero, except that when acquired by actual purchase in the open market the amount actually paid therefor shall be taken as their cost. Any trustee or other fiduciary may charge any taxes paid under this paragraph against principal in any accounting which he makes as such trustee. If, in any exchange of shares upon the reorganization of one or more corporations or of one or more partnerships, associations or trusts, the beneficial interest in which is represented by transferable shares, the new shares received in exchange for the shares surrendered represent the same interest in the same assets, no gain or loss shall be deemed to accrue from the transaction until a sale or further exchange of such new shares is made.

In case of exchange of shares upon reorganization of corporations, etc.

G. L. 62, § 7, etc., amended.

Section 2. Section seven of said chapter sixty-two, as amended by section two of said chapter two hundred and seventeen, is hereby further amended by striking out the last paragraph and inserting in place thereof the following: —

Basis of determination of gains or losses realized from

In determining gains or losses realized from the sale of capital assets, the basis of determination in case of property

owned on January first, nineteen hundred and sixteen, shall be the value on that date or the cost thereof, whichever is higher, and in case of property acquired by purchase thereafter, except as otherwise expressly provided, the cost thereof. If the property other than stock dividends in new stock of the company issuing the same and rights to subscribe to securities was acquired by gift, the basis of determination of the gain or loss shall be the value on the date when it was so acquired. sale of capital assets, etc.

In the case of real or tangible personal property the foregoing basis shall be diminished by the amount of depreciation allowable to the taxpayer under the provisions of this chapter and corresponding provisions of earlier laws, and in the case of intangible personal property the foregoing basis shall be diminished by any amounts received in distribution of capital. In case of real or tangible personal property, etc.

Section 3. This act shall apply to income received during the calendar year nineteen hundred and thirty-one and thereafter. Application of act.

Approved June 10, 1931.

An Act relative to hunting, trapping and fishing. *Chap.* 436

Be it enacted, etc., as follows:

Section 1. Section one of chapter one hundred and thirty-one of the General Laws, as appearing in section two of chapter three hundred and ninety-three of the acts of nineteen hundred and thirty, is hereby amended by inserting after the word "capture" in the nineteenth line the words: — ; and includes every attempt to take and every act of assistance to any other person in taking or attempting to take fish, except operating a boat or assisting a person licensed under this chapter, by cutting holes in the ice for ice fishing. G. L. 131, § 1, amended. Definition. "Fish" or "fishing".

Section 2. Said chapter one hundred and thirty-one, as so appearing, and as amended in section eight by section two of chapter two hundred and sixty-three and by section four of chapter three hundred and ninety-three, both of the acts of the current year, is hereby further amended by striking out said section eight and inserting in place thereof the following: — *Section 8.* Sporting and trapping licenses shall be issued to the following classes of persons upon payment of the following fees: G. L. 131, § 8, etc., amended. Sporting and trapping licenses, issue to whom and fees.

(1) A citizen of the United States, resident in this commonwealth for at least six months, for which the fee shall be two dollars and seventy-five cents for a sporting license and five dollars and twenty-five cents for a trapping license except as hereinafter provided for a trapping license, or a sporting license entitling the holder to fish only, to a minor between the ages of fifteen and eighteen, and except that there shall be no fee for a sporting license if such person has reached age seventy. Resident citizens.

(2) A citizen of the United States, not a resident of this commonwealth for at least six months, for which the fee shall be ten dollars and twenty-five cents; but if the state of which Non-resident citizens.

he is a resident or in which he last resided requires a resident of this commonwealth to pay a larger fee for a similar privilege in such state, the fee for such a non-resident shall be equal to that charged by such state. If such non-resident comes within one of the four following classes and resides or last resided in a state extending like privileges to citizens of this commonwealth, the fee shall be three dollars and twenty-five cents for a sporting license and five dollars and twenty-five cents for a trapping license: *Class A.* Owner of real estate in the commonwealth assessed for taxation at not less than five hundred dollars. *Class B.* Member of any club or association incorporated prior to nineteen hundred and seven, for the purpose of hunting, fishing or trapping upon land owned by such corporation; provided, that the land owned is equal in value to five hundred dollars for each member and that the membership list of the corporation shall be filed from time to time upon request, and at least annually, with the clerks of the various towns within which such land is located and with the director. *Class C.* Invited guest of a club or association conducting fox hunts and incorporated under the laws of this commonwealth who, on the written invitation of a member of said club or association, attends its meetings for the sole purpose of hunting foxes; provided, that the membership list of such club or association shall be filed from time to time upon request, and at least annually, with the clerk of the town where the hunt takes place and with the director; also, a non-resident member of any such club or association. *Class D.* A citizen of the United States, not a resident of this commonwealth for at least six months, who desires to fish only.

Class A.

Class B.

Proviso.

Class C.

Proviso.

Class D.

Unnaturalized foreign born residents.

(3) An unnaturalized foreign born person, resident in this commonwealth for at least ten consecutive days, provided that he is the owner of real estate in the commonwealth assessed for taxation at not less than five hundred dollars, for which the fee shall be fifteen dollars and twenty-five cents.

Proviso.

Fee for trapping license, or sporting license to fish only, issued to a minor.

The fee for a trapping license, or a sporting license to fish only, issued to a minor between the ages of fifteen and eighteen, if he is a resident of this commonwealth for at least six months, shall be one dollar and twenty-five cents.

Sporting or trapping licensees to make annual report, etc.

No person shall be granted a sporting or trapping license unless he files with the town clerk or the director a written report upon blanks furnished by the director stating the number of birds or mammals, if any, taken by him in the preceding calendar year. The town clerk shall on the first Monday of each month forward such reports to the director.

G. L. 131, § 13, amended.

SECTION 3. Said chapter one hundred and thirty-one, as so appearing, is hereby further amended by striking out section thirteen and inserting in place thereof the following:— *Section 13.* Whoever violates any provision of this section or of sections five to twelve, inclusive, for which no specific penalty is provided, or is in any way directly or indirectly a party to any such violation, shall be punished by a fine of not less than ten nor more than fifty dollars or

Penalty for violation of this section or of sections 5 to 12, inclusive.

by imprisonment for not more than one month, or both. Every license issued under said sections five to twelve, inclusive, held by any person found guilty of a violation of any provision of this chapter, shall be void, and shall immediately be surrendered to the officer securing such finding. The officer shall forthwith forward such void licenses to the director. No person shall be given a license under authority of said sections during the period of one year from the date of his being found guilty as aforesaid, and any such license so issued shall be void and shall be surrendered on demand of any officer authorized to enforce this chapter. No fee received for a license made void under this section shall be returned to the holder of such license.

Surrender of license upon conviction, etc.

Section 4. Said chapter one hundred and thirty-one, as so appearing, is hereby further amended by striking out section twenty and inserting in place thereof the following: — *Section 20.* The director, supervisor or a warden or deputy warden may request any person whom he reasonably believes to be engaged in unlawfully hunting, fishing, trapping or possessing fish, birds or mammals to forthwith display for inspection all fish, birds and mammals then in his possession; and said director, supervisor, warden or deputy warden may arrest without warrant a person refusing to comply with such request.

G. L. 131, § 20, amended.

Persons hunting, fishing, etc., or possessing fish, birds, etc., to display them for inspection.

Section 5. Said chapter one hundred and thirty-one, as so appearing, is hereby further amended by striking out section twenty-five and inserting in place thereof the following: — *Section 25.* For the purpose of providing public fishing grounds, the director may acquire by gift, and shall in his discretion acquire by lease or purchase, fishing rights and privileges in any brook or stream in the commonwealth or may acquire by gift, lease or purchase lands necessary for such purposes, except a brook or stream which is a source of or a tributary to a public water supply. The director may also acquire by gift, lease or purchase lands necessary for such purposes, together with such rights of ingress to and egress from such a brook or stream as may be necessary or proper.

G. L. 131, § 25, amended.

Director may acquire fishing rights in any brook, etc.

Said director may, subject to the provisions of section thirty-seven of chapter thirty, make rules and regulations relative to fishing in any water acquired under authority of this section, may provide a penalty, to consist of a fine not to exceed twenty dollars, for any violation of any such rule or regulation, and may from time to time close or open such waters, or any part thereof, for fishing.

Rules and regulations.

Penalty.

Section 6. Section seventy-one of said chapter one hundred and thirty-one, as so appearing, is hereby amended by adding at the end thereof the following: — Any person who loses or by mistake or accident destroys any certificate issued under authority of this section may, upon application to the director, accompanied by an affidavit setting forth the circumstances of such loss, receive a duplicate certificate upon the payment of a fee of fifty cents.

G. L. 131, § 71, amended.

Duplicate certificate for taking shiners for bait.

G. L. 131, § 72, etc., amended.

SECTION 7. Section seventy-two of said chapter one hundred and thirty-one, as so appearing, and as most recently amended by section nine of said chapter three hundred and ninety-three of the acts of the current year, is hereby further amended by adding at the end thereof the following: — Any net, seine, trawl or other similar device used by any person in violation of any provision of said sections, and any fish taken in violation thereof, shall be forfeited to the commonwealth and disposed of as the director shall determine.

Forfeiture of net, etc., used unlawfully.

G. L. 131, § 93, amended.

SECTION 8. Said chapter one hundred and thirty-one, as so appearing, is hereby amended by striking out section ninety-three and inserting in place thereof the following: — *Section 93.* Except as otherwise provided in this chapter, no person shall, except between October twentieth and November twentieth, both inclusive, hunt or have in possession the carcass of a gray squirrel, or at any time take, kill or have in possession the carcasses of more than five gray squirrels in one day or more than fifteen in one year, or take or kill at any time a gray squirrel by means of a trap or net, or for the purpose of taking or killing a gray squirrel construct or set a trap or net. This section shall not apply to the owner or occupant of any dwelling house or other building finding any gray squirrel doing damage to the same or to any fruit tree, or to grain or other growing cultivated crop.

Close season for gray squirrels.

Exception.

G. L. 131, § 94, etc., amended.

SECTION 9. Said chapter one hundred and thirty-one, as so appearing, is hereby further amended by striking out section ninety-four, as amended by section one of chapter twenty-seven of the acts of the current year, and inserting in place thereof the following: — *Section 94.* No person, otherwise than as provided in section ninety-six, shall hunt or have in possession the carcass of a hare or rabbit, except between October twentieth and the last day of February, both inclusive, in Nantucket county or between October twentieth and February fifteenth, both inclusive, in any other county, or during such open seasons kill or have in possession the carcasses of more than two northern varying hares, otherwise known as Canada hares, snow-shoe rabbits or white rabbits, or more than five rabbits in any one day. This section shall not apply to European hares in the county of Berkshire, which may be taken or killed at any time.

Close season for hares or rabbits.

Exception.

G. L. 131, § 95, amended.

SECTION 10. Section ninety-five of said chapter one hundred and thirty-one, as so appearing, is hereby amended by inserting after the word "construct" in the fifth and sixth lines the word: —, tend.

G. L. 131, § 101, amended.

SECTION 11. Section one hundred and one of said chapter one hundred and thirty-one, as so appearing, is hereby amended by inserting after the word "state" in the third line the words: — or paved.

G. L. 131, § 103, amended.

SECTION 12. Section one hundred and three of said chapter one hundred and thirty-one, as so appearing, is hereby amended by inserting after the word "mammal" in the second line the words: — or bird, — and by inserting

after the word "mammal" in the thirteenth line the words: — or the dead body of any bird.

Section 13. Section one hundred and four of said chapter one hundred and thirty-one, as so appearing, is hereby amended by inserting after the word "means" in the third line the words: — or by the aid or use of any motor vehicle or artificial light, — and by adding at the end of said section the following: — Nothing in this section shall be construed to prohibit the hunting of raccoons or skunks or any unprotected mammal in a lawful manner with artificial light, provided no motor vehicle is used therefor. G. L. 131, § 104, amended. Section, how construed. Proviso.

Section 14. Section one hundred and eight of said chapter one hundred and thirty-one, as so appearing, is hereby amended by striking out, in the first and second lines, the words "and the following section" and inserting in place thereof the word: — chapter, — and by inserting after the word "hunts" in the second line the words: — or has in possession the carcass of. G. L. 131, § 108, amended.

Section 15. Section one hundred and nine of said chapter one hundred and thirty-one, as so appearing, is hereby amended by striking out the next to the last sentence. G. L. 131, § 109, amended.

Section 16. Section one hundred and thirteen of said chapter one hundred and thirty-one, as so appearing, is hereby amended by adding at the end thereof the following: —, or the director may mark or cause to be marked in a suitable manner trees for which compensation has been paid. G. L. 131, § 113, amended.

Section 17. Said chapter one hundred and thirty-one, as so appearing, is hereby amended by inserting after section one hundred and sixteen the following new section: — *Section 116A*. For the purpose of providing public shooting grounds, the director may acquire by gift, and shall in his discretion acquire by leases not to exceed five years, lands and waters, except a brook or stream which is a source of or a tributary to a public water supply, within the commonwealth, or either of them, or shooting rights thereon or therein, together with such rights of ingress to and egress from such lands or water as may be necessary and proper. Said director may, subject to the provisions of section thirty-seven of chapter thirty, make rules and regulations relative to hunting in any lands or waters acquired under authority of this section, may provide a penalty, to consist of a fine not to exceed twenty dollars, for any violation of any such rule or regulation, and may from time to time close or open such lands or waters, or any part thereof, for hunting. G. L. 131, new section after § 116. Director may acquire lands and waters for purpose of providing public shooting grounds. Rules and regulations.

Section 18. Section one hundred and thirty-four of said chapter one hundred and thirty-one, as so appearing, and as amended by section nineteen of said chapter three hundred and ninety-three, is hereby further amended by adding at the end thereof the following: — Any person who loses or by mistake or accident destroys any certificate issued under authority of this section may, upon application to the director, accompanied by an affidavit setting forth the cir- G. L. 131, § 134, etc., amended. Duplicate certificate of registration of a gunning stand or blind.

cumstances of such loss, receive a duplicate certificate upon the payment of a fee of fifty cents.

G. L. 131, § 136, etc., amended.

SECTION 19. Section one hundred and thirty-six of said chapter one hundred and thirty-one, as so appearing, and as amended by section twenty of said chapter three hundred and ninety-three, is hereby further amended by adding at the end thereof the following: — Any net, trap, snare, jacklight or other similar device used by any person in violation of any provision of said sections or of any such rule or regulation and any bird or mammal taken in violation of any provision of said sections or of any such rule or regulation shall, upon a finding of guilty, be forfeited to the commonwealth and shall be disposed of as the director shall determine.

Forfeiture of net, trap, etc., used unlawfully.

G. L. 10, § 16, etc., amended.

SECTION 20. Section sixteen of chapter ten of the General Laws, as most recently amended by section one of chapter three hundred and ninety-three of the acts of the current year, is hereby further amended by inserting after the word "thirty-one" in the first sentence the words: —, under section two of chapter one hundred and thirty-two or under section one of chapter one hundred and thirty-two A.

Approved June 10, 1931.

Chap. 437 AN ACT RELATIVE TO LICENSED BOXING OR SPARRING MATCHES OR EXHIBITIONS.

Be it enacted, etc., as follows:

G. L. 147, § 36, amended.

SECTION 1. Chapter one hundred and forty-seven of the General Laws is hereby amended by striking out section thirty-six and inserting in place thereof the following: —

Referee and judges in attendance at boxing or sparring matches or exhibitions, etc.

Section 36. At every boxing or sparring match or exhibition there shall be in attendance a referee, duly licensed under the provisions of sections thirty-two to forty-seven, inclusive, who shall direct and control the same. The referee shall have full power to stop the match or exhibition whenever he deems it advisable because of the physical condition of the contestants or one of them, or when one of the contestants is clearly outclassed by his opponent, or for other sufficient reason. The referee shall declare forfeited any prize, remuneration or purse or any part thereof belonging to the contestants or one of them if, in the judgment of a majority of the judges and the referee, such contestant or contestants are not or were not competing in good faith. There shall also be in attendance two duly licensed judges, and each of said judges and the referee shall, at the termination of every such match or exhibition, vote for the contestant in whose favor the decision should, in his opinion, be rendered, and the decision shall be rendered in favor of the contestant receiving a majority of said votes. Upon the rendering of said decision, the vote of each judge and the referee shall be announced from the ring. The fees of the referee and other licensed officials shall be fixed by said commission, and shall

be paid by the licensed organization prior to the match or exhibition.

Section 2. Said chapter one hundred and forty-seven is hereby further amended by striking out section thirty-eight and inserting in place thereof the following: — *Section 38.* Boxing or sparring matches or exhibitions shall not exceed ten rounds in length, but if such matches or exhibitions are to determine championships, they may, in the discretion of the commission, exceed ten rounds in length but not fifteen. No round in any such match or exhibition shall exceed three minutes. No contestant, professional or amateur, shall, except as aforesaid, participate in more than ten such rounds during any period of twenty-four hours; and no amateur contestant shall participate in more than three contests between twelve o'clock noon of any day and twelve thirty o'clock in the morning of the next day. All amateur boxing or sparring matches or exhibitions held on any day shall terminate at or before twelve thirty o'clock in the morning of the next day. The contestants in professional matches or exhibitions shall wear, during the contest, gloves weighing at least six ounces each and in amateur matches or exhibitions, unless otherwise authorized by the commission, the contestants shall wear, during the contest, gloves weighing at least eight ounces each. Every boxer participating in a boxing or sparring match or exhibition shall be required to wear a standard protective device, to be approved by the commission.

G. L. 147, § 38, amended.

Number of rounds.

Termination of amateur boxing matches, etc.

Gloves.

Standard protective device.

Section 3. Section forty-three of said chapter one hundred and forty-seven is hereby amended by striking out all after the word "rendered" in the fifth line, — so as to read as follows: — *Section 43.* No licensee under section thirty-three shall have, directly or indirectly, any financial interest in a boxer competing on premises owned or leased by the licensee, or in which the licensee is otherwise interested. No contestant in such a match or exhibition shall be paid for services before the same are rendered.

G. L. 147, § 43, amended.

Licensee not to have financial interest in boxer.

Approved June 10, 1931.

An Act to establish congressional districts. *Chap.* 438

Be it enacted, etc., as follows:

Chapter fifty-seven of the General Laws is hereby amended by striking out section one, as amended by section one of chapter three hundred and seventy-two of the acts of nineteen hundred and twenty-six, and inserting in place thereof the following: — *Section 1.* For the purpose of electing representatives in the Congress of the United States, until otherwise provided by law, the commonwealth is divided into the following fifteen districts, each of which shall elect one representative:

G. L. 57, § 1, etc., amended.

State divided into fifteen congressional districts.

Number One, — Consisting of North Adams, Pittsfield and the towns in Berkshire county; Ashfield, Bernardston, Buckland, Charlemont, Colrain, Conway, Deerfield, Erving,

Number One.

Gill, Greenfield, Hawley, Heath, Leverett, Leyden, Monroe, Montague, New Salem, Northfield, Orange, Rowe, Shelburne, Shutesbury, Sunderland, Warwick, Wendell and Whately in Franklin county; Blandford, Chester, Granville, Holyoke, Montgomery, Russell, Southwick, Tolland and Westfield in Hampden county; Belchertown, Chesterfield, Cummington, Enfield, Goshen, Greenwich, Huntington, Middlefield, Pelham, Plainfield, Prescott, Southampton, Westhampton, Williamsburg and Worthington in Hampshire county; and Athol and Royalston in Worcester county.

Number Two. Number Two, — Consisting of Agawam, Chicopee, East Longmeadow, Hampden, Longmeadow, Ludlow, Springfield, West Springfield and Wilbraham in Hampden county; and Amherst, Easthampton, Granby, Hadley, Hatfield, Northampton and South Hadley in Hampshire county.

Number Three. Number Three, — Consisting of Ashburnham, Barre, Berlin, Bolton, Brookfield, Charlton, Clinton, Dana, Dudley, East Brookfield, Fitchburg, Gardner, Hardwick, Harvard, Hubbardston, Lancaster, Leicester, Leominster, Lunenburg, New Braintree, North Brookfield, Oakham, Oxford, Paxton, Petersham, Phillipston, Princeton, Rutland, Southbridge, Spencer, Sterling, Sturbridge, Templeton, Warren, Webster, West Brookfield, Westminster and Winchendon in Worcester county; Ware in Hampshire county; Brimfield, Holland, Monson, Palmer and Wales in Hampden county; and Ashby, Boxborough, Framingham, Hudson, Marlborough, Maynard, Pepperell, Shirley, Stow, Sudbury, Townsend and Wayland in Middlesex county.

Number Four. Number Four, — Consisting of Auburn, Boylston, Douglas, Grafton, Holden, Hopedale, Mendon, Milford, Millbury, Millville, Northborough, Northbridge, Shrewsbury, Southborough, Sutton, Upton, Uxbridge, Westborough, West Boylston and Worcester in Worcester county; and Ashland and Hopkinton in Middlesex county.

Number Five. Number Five, — Consisting of Acton, Arlington, Ayer, Bedford, Belmont, Billerica, Burlington, ward numbered eleven in Cambridge, Carlisle, Chelmsford, Concord, Dracut, Dunstable, Groton, Lexington, Littleton, Lowell, Melrose, Reading, Stoneham, Tewksbury, Tyngsborough, Westford, Wilmington, Winchester and Woburn in Middlesex county.

Number Six. Number Six, — Consisting of Amesbury, Beverly, Boxford, Danvers, Essex, Georgetown, Gloucester, Groveland, Hamilton, Haverhill, Ipswich, Manchester, Marblehead, Merrimac, Methuen, Middleton, Newbury, Newburyport, North Andover, Rockport, Rowley, wards numbered one, two, three, five and six in Salem, Salisbury, Swampscott, Topsfield, Wenham and West Newbury in Essex county.

Number Seven. Number Seven, — Consisting of Andover, Lawrence, Lynn, Lynnfield, Nahant, Peabody, ward numbered four in Salem, and Saugus in Essex county; North Reading and Wakefield in Middlesex county; and Revere and Winthrop in Suffolk County.

Number Eight, — Consisting of wards numbered two and three in Cambridge, Everett, Malden, Medford and Somerville in Middlesex county. Number Eight.

Number Nine, — Consisting of wards numbered four, five, six, seven, eight, nine and ten in Cambridge, Lincoln, Newton, Waltham, Watertown and Weston in Middlesex county; ward numbered twenty-two in Boston in Suffolk county; and Brookline and Wellesley in Norfolk county. Number Nine.

Number Ten, — Consisting of wards numbered four, five, nine, ten, eleven, twelve, nineteen, twenty and twenty-one in Boston in Suffolk county. Number Ten.

Number Eleven, — Consisting of wards numbered one, two and three, and precincts numbered one, two, three, four, five, six, seven, eight and nine in ward numbered eight in Boston, and Chelsea in Suffolk county; and ward numbered one in Cambridge in Middlesex county. Number Eleven.

Number Twelve, — Consisting of wards numbered six and seven, and precincts numbered ten, eleven, twelve, thirteen and fourteen in ward numbered eight, and wards numbered thirteen, fourteen, fifteen, sixteen, seventeen and eighteen in Boston in Suffolk county. Number Twelve.

Number Thirteen, — Consisting of Avon, Braintree, Canton, Dedham, Dover, Holbrook, Milton, Needham, Norwood, Quincy, Randolph, Stoughton, Westwood and Weymouth in Norfolk county; Natick in Middlesex county; and Brockton in Plymouth county. Number Thirteen.

Number Fourteen, — Consisting of Attleboro, Berkley, Dighton, Easton, Fall River, Freetown, Mansfield, North Attleborough, Norton, Raynham, Rehoboth, Seekonk, Somerset, Swansea, Taunton and Westport in Bristol county; Bellingham, Foxborough, Franklin, Medfield, Medway, Millis, Norfolk, Plainville, Sharon, Walpole and Wrentham in Norfolk county; Holliston and Sherborn in Middlesex county; and Blackstone in Worcester county. Number Fourteen.

Number Fifteen, — Consisting of Abington, Bridgewater, Carver, Duxbury, East Bridgewater, Halifax, Hanover, Hanson, Hingham, Hull, Kingston, Lakeville, Marion, Marshfield, Mattapoisett, Middleborough, Norwell, Pembroke, Plymouth, Plympton, Rochester, Rockland, Scituate, Wareham, West Bridgewater and Whitman in Plymouth county; Chilmark, Edgartown, Gay Head, Gosnold, Oak Bluffs, Tisbury and West Tisbury in Dukes county; Barnstable, Bourne, Brewster, Chatham, Dennis, Eastham, Falmouth, Harwich, Mashpee, Orleans, Provincetown, Sandwich, Truro, Wellfleet and Yarmouth in Barnstable county; Nantucket in Nantucket county; Cohasset in Norfolk county; and Acushnet, Dartmouth, Fairhaven and New Bedford in Bristol county. Number Fifteen.

Approved June 10, 1931.

*Chap.*439 AN ACT RELATIVE TO THE CONSTRUCTION OF SIDEWALKS ALONG STATE HIGHWAYS.

Be it enacted, etc., as follows:

G. L. 81, § 20, etc., amended.

Chapter eighty-one of the General Laws, as amended in section twenty by section twenty-nine of chapter three hundred and ninety-four of the acts of the current year, is hereby further amended by striking out said section twenty and inserting in place thereof the following: — *Section 20.* The department shall from time to time construct sidewalks along such parts of the state highways as it determines public convenience and necessity require. Sidewalks may also be constructed along state highways and maintained in accordance with sections twenty-five and twenty-six of chapter eighty-three.

Construction and maintenance of sidewalks along state highways.

Approved June 10, 1931.

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*Chap.*440 AN ACT FURTHER PROTECTING PURCHASERS OF INVALID TAX TITLES.

Be it enacted, etc., as follows:

G. L. 60, new section after § 84.

Chapter sixty of the General Laws is hereby amended by inserting after section eighty-four the following new section: — *Section 84A.* If a tax title is for any reason adjudged invalid by a court of competent jurisdiction, said court may order the treasurer of the city or town where the land affected is situated, upon receipt of a release by the holder of said title of all the interest which he may have under his tax deed, to refund to such holder the amount paid therefor but not exceeding the amount received by the city or town, with interest at the rate of ten per cent from the date of the deed. Said order shall specify the cause of the invalidity of the said title. The treasurer shall forthwith record said release in the proper registry of deeds, and thereupon, if the said invalidity was caused by an error, omission or informality in the assessment of the tax, the treasurer shall notify the board by which the tax or assessment was laid, which shall forthwith reassess it as provided in section seventy-seven of chapter fifty-nine; and if such invalidity was caused by an error, omission or informality in the proceedings of the collector, the treasurer shall thereupon notify the collector who shall forthwith collect the unpaid tax or assessment in conformity to law.

Protection of purchasers of invalid tax titles.

Approved June 10, 1931.

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*Chap.*441 AN ACT PROVIDING FOR THE CONSTRUCTION OF A PIER ON THE CAPE COD CANAL AND THE DREDGING OF A CHANNEL IN CONNECTION THEREWITH FOR THE HANDLING OF PASSENGERS AND FREIGHT OF VESSELS.

Be it enacted, etc., as follows:

Department of public works to request permit for con-

SECTION 1. The department of public works is hereby authorized and directed to request the war department of

the United States to grant a permit and recommend a suitable location for the construction of a pier on the Cape Cod canal for the purpose of providing thereat adequate facilities and equipment for the handling of passengers and freight of ocean-going and other vessels, including in such permit authority to dredge a channel to said pier to accommodate such vessels. After the said department of public works has obtained the permit and recommendation as to location, said department may expend such sum, not exceeding in the aggregate two hundred and fifty thousand dollars, as may hereafter be provided. struction of a pier on Cape Cod canal, etc. Expenditure.

Section 2. To meet the expenditures necessary in carrying out the provisions of section one, the state treasurer shall upon request of the department issue and sell, at public or private sale, bonds of the commonwealth, registered or with interest coupons attached, as he may deem best, to an amount, to be specified from time to time by the department, but not in excess of two hundred and fifty thousand dollars in the aggregate. All such bonds shall be designated on their face, Cape Cod Canal Pier Loan, and shall be on the serial payment plan for a maximum term of ten years dating from the time when the permit and recommendation required in section one has been obtained. Said bonds shall bear interest, payable semi-annually, at such rate as the state treasurer, with the approval of the governor and council, shall fix. State treasurer to issue bonds, etc. Cape Cod Canal Pier Loan.

Section 3. Upon the completion of the work authorized in section one, said department shall have the supervision, control and maintenance of said pier, facilities and equipment, and shall make such rules and regulations and establish such reasonable rates for the use of said pier, facilities and equipment as may be approved by the governor and council. Department to have supervision, control, etc., of pier, etc.

Approved June 10, 1931.

An Act giving the commissioner of conservation certain powers over open spaces and reservations acquired by the department of conservation, establishing the state reservation trust fund and authorizing the taking for maintenance as a state reservation of certain parcels of land at Salisbury Beach. *Chap.* 442

Be it enacted, etc., as follows:

Section 1. Chapter twenty-one of the General Laws is hereby amended by inserting after section three the following two new sections: — G. L. 21, two new sections after § 3.

Section 3A. The commissioner shall have the same powers of management and control relative to all open spaces for exercise and recreation or reservations acquired by the department outside the metropolitan parks district as are conferred by law upon the metropolitan district commission relative to reservations under its control. Commissioner of conservation to have certain powers over open spaces, etc.

State Reservation Trust Fund established.

Section 3B. The state treasurer may, with the approval of the governor and council, receive and hold in trust for the commonwealth, exempt from taxation, any grant or devise of lands or rights in land, and any gift or bequest of money or other personal property, made for the purposes of establishing and maintaining reservations outside the metropolitan parks district, and shall preserve and invest the proceeds thereof in notes or bonds secured by good and sufficient mortgage or other securities. Said trust property shall be known as the State Reservation Trust Fund, and shall be used and expended under the direction of the commissioner and subject to his orders. Subject to the terms of any such grant, gift, devise or bequest, the commissioner may expend such funds, whether principal or income.

Commissioner may take for maintenance as a state reservation certain parcels of land at Salisbury beach.

SECTION 2. The commissioner of conservation, on behalf of the commonwealth, may take by eminent domain, under chapter seventy-nine of the General Laws, or acquire by purchase, gift or otherwise, and thereafter maintain as a state reservation, the whole or any portion of the following described parcels of land: —

I. A parcel of land bordering upon the Atlantic ocean, and extending from the Merrimack river on the south to the Massachusetts–New Hampshire boundary on the north, and between the line of mean low water of said ocean on the east and the easterly established boundary lines of the lots abutting said parcel of land on the west.

II. As approaches to the parcel of land described in paragraph I: —

(*a*) So much of Jetty and Murray streets as extends from the easterly location line of Atlantic avenue to the land described in said paragraph I.

(*b*) Broadway from its intersection with the state highway to the land described in said paragraph I.

(*c*) Unnamed street south of Thirteenth street and opposite proposed parking space from easterly location line of state highway to the land described in said paragraph I.

(*d*) Unnamed street south of Brookline street from easterly location line of state highway to the land described in said paragraph I.

III. As areas for automobile parking: —

(*a*) An area on each side of and adjacent to the state highway in the vicinity of Broadway.

(*b*) An area west of and adjacent to the state highway about midway between Broadway and the Massachusetts–New Hampshire boundary line.

All of the above-described takings are shown on a plan entitled "Plan of Salisbury Beach and Environs prepared for the Salisbury Beach and Duxbury Beach Reservations Commission by Morse & Dickinson, Engineers, 11 Beacon Street, Boston, Mass. 1928."

Appropriation.

For the purposes of this section there is hereby appropriated from the treasury of the commonwealth a sum not

Assessment.

exceeding fifty thousand dollars, to be assessed upon the

cities and towns of the commonwealth, exclusive of those comprising the metropolitan parks district, but including Cohasset, in the manner provided in section four, chapter one hundred and thirty-two A of the General Laws.

Approved June 10, 1931.

An Act to authorize the metropolitan district commission to appoint Joseph Tennis as a permanent police officer. *Chap.* 443

Be it enacted, etc., as follows:

Metropolitan district commission may appoint Joseph Tennis as a permanent police officer.

Section 1. The metropolitan district commission may appoint as a permanent member of its police force Joseph Tennis, who was temporarily injured in the performance of his duty as a call officer employed by said commission under chapter ninety-two of the General Laws, and was thereby prevented from retaining his standing on the civil service list for appointment on the police force of the city of Cambridge. The time during which said Tennis has served as said call officer shall be deemed a part of his period of service as a permanent officer.

Section 2. This act shall take effect upon its passage.

Approved June 10, 1931.

An Act relative to the apportionment and collection of sewer assessments, and validating certain acts of the assessors and collector of taxes in relation thereto, in the town of Marblehead. *Chap.* 444

Be it enacted, etc., as follows:

Apportionment and collection of sewer assessments in town of Marblehead.

Section 1. The board of sewer commissioners of the town of Marblehead, within a reasonable time after assessments have been made under authority of section seven of chapter three hundred and nine of the Special Acts of nineteen hundred and sixteen, shall commit the list of such assessments upon the owners of estates referred to in said section seven, with their warrant, to the collector of taxes of said town, and he shall forthwith send notice in accordance, except as to the date of such notice, with section three of chapter sixty of the General Laws, to the person designated in said warrant as the owner of each parcel assessed, and any demand for the payment of such assessment shall be made upon such person. The provisions of section thirteen of chapter eighty of the General Laws shall apply to such assessments, except that such assessments shall bear interest from the ninetieth day after being committed to the collector of taxes, and that interest on unpaid portions of said assessments shall be computed upon the amount remaining unpaid ninety days after the commitment of the original assessments to said collector, and except that, in case any such assessment has been apportioned, any number of apportioned parts may be paid at any time.

Certain actions relative to assessments validated and confirmed.

SECTION 2. All action taken by the assessors and the collector of taxes of the town of Marblehead, relative to assessments levied by the board of sewer commissioners of said town prior to the passage of this act is hereby validated and confirmed, to the same extent as if section one of this act had been in effect at the time of such action.

Inconsistent provisions repealed.

SECTION 3. All provisions of said chapter three hundred and nine inconsistent with this act are hereby repealed.

SECTION 4. This act shall take effect upon its passage.

Approved June 10, 1931.

Chap. 445 AN ACT AUTHORIZING THE DEPARTMENT OF PUBLIC WORKS TO CONSTRUCT A CERTAIN STATE HIGHWAY AND TO MAKE OTHER HIGHWAY IMPROVEMENTS IN THE CITY OF REVERE.

Be it enacted, etc., as follows:

Department of public works to lay out and construct a certain state highway in city of Revere.

SECTION 1. The department of public works, hereinafter called the department, is hereby directed to lay out and construct a state highway under the provisions of chapter eighty-one of the General Laws, except as herein otherwise provided, substantially in the following location: Beginning at the Revere Beach parkway at or near the Revere station of the Boston and Maine Railroad in the city of Revere, thence extending in a generally northeasterly direction to connect with the North Shore road so-called, at or near Revere street in said city, including any necessary alterations to the bridge at Beach street, crossing the tracks of the Boston and Maine Railroad.

To widen and reconstruct certain portions of state highway in city of Revere, and certain portions of Revere Beach parkway, etc.

SECTION 2. The department is hereby further directed to widen and reconstruct the state highway in the city of Revere beginning at the boundary line between the cities of Revere and Boston and extending to the intersection of said state highway with the Revere Beach parkway, and to widen and reconstruct such portions of said parkway in said city of Revere between said state highway and a connection with Ocean avenue as may be necessary. When the work authorized by this section shall have been completed, that portion of said Revere Beach parkway widened as above provided shall become a part of the metropolitan parks system and shall be kept in good condition and repair by the metropolitan district commission.

To widen and reconstruct certain portion of Ocean avenue in city of Revere, etc.

SECTION 3. The department is hereby further directed to widen and reconstruct Ocean avenue in the city of Revere beginning at the Revere Beach parkway and extending northerly to its intersection with Beach street. When the work authorized by this section shall have been completed, said way shall become a city way and shall be kept in good condition and repair by said city of Revere, and the provisions of section twenty-five of chapter eighty-one of the General Laws shall apply thereto.

May take or acquire necessary public or private lands, etc.

SECTION 4. The department may, on behalf of the commonwealth, take by eminent domain, under chapter seventy-nine of the General Laws, or acquire by purchase or other-

wise, such public or private lands or rights therein as it may deem necessary for carrying out the provisions of this act, including such land or rights in land as may be necessary for the construction of any necessary drainage outlets; provided, that no damages shall be paid for public lands so taken. The department is hereby authorized to use for such purpose any lands or rights therein belonging to the metropolitan district commission and public lands or ways of the city of Revere.

Proviso.

May use certain lands, etc.

Section 5. The cost of laying out, constructing and improving said proposed ways, including any damages awarded or paid on account of any taking of land or property therefor, or for injury to the same, and any sums paid for lands or rights purchased, and all other expenses incurred in carrying out the provisions of sections one to three, inclusive, shall be deemed to be the cost of the work; provided, that such cost shall not exceed in the aggregate the following amounts:

What shall be deemed to be cost of work.

Proviso.

For the work authorized by section one, the sum of six hundred and ninety thousand dollars.

For the work authorized by section two, the sum of two hundred and eighty thousand dollars.

For the work authorized by section three, the sum of three hundred and eighty-five thousand dollars.

Section 6. Of so much of the cost of the work authorized by section one, as represents the cost of land takings for the same, including any damages awarded or paid on account of any taking of land or property therefor, or any injury to the same, and any sums paid for lands or rights purchased, fifty thousand dollars shall be paid by the city of Revere and the balance shall be paid by the municipalities of the metropolitan parks district, including the city of Revere, in proportion to the respective taxable valuations of the property of said municipalities as defined by section fifty-nine of chapter ninety-two of the General Laws; of so much of the cost of the work authorized by said section one, as represents the cost of alterations to the bridge at Beach street over the tracks of the Boston and Maine Railroad, sixty-five per cent shall be paid by the commonwealth, twenty-five per cent shall be paid by said Boston and Maine Railroad and the remaining ten per cent shall be paid by the city of Revere; and the remainder of the cost of the work authorized by said section one shall be paid by the commonwealth.

Apportionment of cost.

Section 7. The portions of the cost of the work to be paid by the commonwealth as provided by the preceding section shall be paid from such appropriations as may hereafter be made, not exceeding twenty-five thousand dollars being paid from the highway fund of nineteen hundred and thirty-one, and the balance from the highway fund of nineteen hundred and thirty-two.

How portions of cost as provided by § 6 shall be paid by state.

Section 8. The cost of the work authorized by section two shall be paid by the commonwealth from such appropriations as may hereafter be made, not exceeding twenty-five

How cost authorized by § 2 shall be paid by state.

thousand dollars being paid from the highway fund of nineteen hundred and thirty-one, and the balance from the highway fund of nineteen hundred and thirty-two.

Apportionment of cost authorized by § 3.

Section 9. Of the cost of the work authorized by section three, one third shall be paid by the commonwealth from such appropriations as may hereafter be made, not exceeding twenty-five thousand dollars being paid from the highway fund of nineteen hundred and thirty-one, and the balance from the highway fund of nineteen hundred and thirty-two; one third by the city of Revere; and one third by the municipalities of the metropolitan parks district, including the city of Revere, in proportion to the respective taxable valuations of the property of said municipalities as defined by section fifty-nine of chapter ninety-two of the General Laws.

City of Revere may borrow money, issue bonds, etc., to meet cost of work.

Section 10. To meet those portions of the cost of the work authorized by sections one and three to be paid by the city of Revere, other than the proportionate part of such cost payable on account of its membership in the metropolitan parks district, said municipality may borrow outside its limit of indebtedness as fixed by law such sums as may be necessary, and may issue bonds or notes therefor, which shall be payable in not more than ten years; and such indebtedness shall, except as herein provided, be subject to chapter forty-four of the General Laws, exclusive of the limitation contained in the first paragraph of section seven thereof, as revised by chapter three hundred and twenty-four of the acts of nineteen hundred and twenty-eight.

Approved June 10, 1931.

Chap. 446 An Act authorizing the city of Boston to continue the payment of a pension to the widow of Daniel T. Dineen.

Be it enacted, etc., as follows:

City of Boston may continue the payment of a pension to widow of Daniel T. Dineen.

Section 1. For the purpose of promoting the public good, the city of Boston may continue from January first, nineteen hundred and thirty-one, to pay a pension to Elizabeth J. Dineen, widow of Daniel T. Dineen, a former member of its fire department who died from injuries received while in the performance of his duty. After said date, said pension shall be at the rate of six hundred dollars a year, payable in equal monthly instalments, but it shall cease upon the remarriage of said Elizabeth J. Dineen.

Submission to city council, etc.

Section 2. This act shall take effect upon its acceptance during the current year by vote of the city council of said city, subject to the provisions of its charter, but not otherwise.

Approved June 10, 1931.

An Act providing for the lighting of a section of the boston-salem turnpike, so called, in lynn, revere and saugus. *Chap.* 447

Be it enacted, etc., as follows:

Department of public works to provide for the lighting of a section of the Boston-Salem turnpike in Lynn, Revere and Saugus.

The department of public works is hereby authorized and directed to install and maintain a system of street lighting on that section of the state highway known as the Boston-Salem turnpike lying between Ward street in the city of Revere and the northerly terminus of Fox Hill bridge in the city of Lynn, and may make such contracts therefor as may be necessary. The installation and maintenance of such lighting system shall serve as a demonstration in respect to the expediency of installing and maintaining similar systems on other state highways. All expense incurred hereunder in the current fiscal year shall be paid by the commonwealth from item number six hundred and twelve of chapter two hundred and forty-five of the acts of the current year, and in subsequent years one half shall be paid by the commonwealth from the annual appropriation for the maintenance and repair of state highways, and one half shall be paid by the cities of Revere and Lynn and the town of Saugus in equal amounts.

Approved June 10, 1931.

An Act providing retirement allowances based on annuity and pension contributions for employees of the city of Chelsea. *Chap.* 448

Be it enacted, etc., as follows:

PURPOSE OF ACT.

Chelsea retirement act, purpose, etc.

Section 1. The purpose of this act is to improve the efficiency of the public service of the city of Chelsea, hereinafter called the city, by the retirement of disabled or superannuated employees.

DEFINITIONS.

Definitions.

Section 2. The following words and phrases as used in this act, unless a different meaning is plainly required by the context, shall have the following meanings: —

"Retirement system".

(1) "Retirement system", the arrangement provided in this act for the retirement of, and payment of retirement allowances to, employees as defined in paragraph (2) of this section.

"Employee".

(2) "Employee", any person who is regularly employed in the service of, and whose salary or compensation is paid by, the city, except employees who hold office by popular election, who were not members at the time of their election, and teachers in the public schools as defined by section six of chapter thirty-two of the General Laws. In all cases of doubt the retirement board shall decide who is an employee within the meaning of this act.

"Member". (3) "Member", any employee included in the retirement system as provided in section four of this act.

"Retirement board". (4) "Retirement board", the board provided in section fourteen of this act to administer the retirement system.

"Service". (5) "Service", service as an employee as described in paragraph (2) of this section and paid for by the city of Chelsea.

"Prior service". (6) "Prior service", service rendered prior to the date the retirement system becomes first operative, for which credit is allowable under the provisions of section five of this act.

"Membership service". (7) "Membership service", service as an employee rendered since last becoming a member.

"Creditable service". (8) "Creditable service", "prior service" plus "membership service", for which credit is allowable as provided in section five of this act.

"Beneficiary". (9) "Beneficiary", any person in receipt of a pension, an annuity, a retirement allowance or other benefit as provided by this act.

"Regular interest". (10) "Regular interest", interest at four per centum per annum compounded annually; provided, that if the actual net interest earned on the reserves of the retirement system be less than four per centum, the rate may be reduced to not less than three per centum per annum after the retirement board has given the members ninety days' notice of a proposed reduction in rate; and provided, further, that such a reduction shall not affect any payments or credits made prior to the date of the change in rate.

"Accumulated deductions". (11) "Accumulated deductions", the sum of all the amounts deducted from the compensation of a member and standing to his credit in the annuity savings fund, together with regular interest thereon.

"Annuity". (12) "Annuity", annual payments for life derived from the accumulated deductions of a member. All annuities shall be paid in monthly instalments.

"Pension". (13) "Pension", annual payments for life derived from contributions made by the city. All pensions shall be paid in monthly instalments.

"Retirement allowance". (14) "Retirement allowance", the sum of the "annuity" and the "pension".

"Regular compensation". (15) "Regular compensation", the annual compensation determined by the head of the department for the individual service of each employee in that department and the compensation determined by duly constituted authority for appointed officers of the city, exclusive of bonus or overtime payments.

"Annuity reserve". (16) "Annuity reserve", the present value of all payments to be made on account of any annuity or benefit in lieu of any annuity computed upon the basis of such mortality tables as shall be adopted by the retirement board and regular interest.

"Pension reserve". (17) "Pension reserve", the present value of all payments to be made on account of any pension or benefit in lieu of any pension computed upon the basis of such mortality

tables as shall be adopted by the retirement board and regular interest.

(18) "Actuarial equivalent", a benefit of equal value when computed upon the basis of such mortality tables as shall be approved by the retirement board and regular interest. "Actuarial equivalent".

NAME AND DATE SYSTEM IS FIRST OPERATIVE.

SECTION 3. A retirement system is hereby established and placed under the management of the retirement board for the purpose of providing retirement allowances under the provisions of this act for employees of, or employees paid by, the city. The retirement system so created shall have the powers and privileges of a corporation and shall be known as the "Chelsea Retirement System", and by such name all of its business shall be transacted, all of its funds invested, all warrants for money drawn and payments made, and all of its cash and securities and other property held. The retirement system so created shall begin operation upon the first day of January, nineteen hundred and thirty-two. Chelsea Retirement System established. Date of operation.

MEMBERSHIP.

SECTION 4. (1) The membership of the retirement system shall be constituted as follows: — Retirement system, membership.

(*a*) All persons who become employees and, except as otherwise provided in the last sentence of subsection (2) of section nine, all employees who enter or re-enter the service of the city on or after the day the retirement system becomes operative may become members of the retirement system on their own application, and all such employees who shall complete one year of service thereafter and disability beneficiaries restored to active service to whom the provisions of subsection (3) of said section nine apply shall become members of the retirement system, and after becoming members as above provided shall receive no pension or retirement allowance from any other pension or retirement system supported wholly or in part by the city, nor shall they be required to make contributions to any other pension or retirement system of the city, anything to the contrary in this or any other special or general law notwithstanding.

(*b*) All persons who are employees on the date when this retirement system becomes operative and who are not then covered by any other pension or retirement law of the commonwealth shall become members as of the first day this retirement system becomes operative, unless on or before a date not more than sixty days thereafter, to be set by the retirement board, any such employee shall file with the retirement board on a form prescribed by the board a notice of his election not to be covered in the membership of the system and a duly executed waiver of all present and prospective benefits which would otherwise inure to him on account of his participation in the retirement system. Employees on date of operation of retirement system, not covered by other pension law of state, etc.

Employees covered by other pension or retirement laws, etc.

(c) An employee who is covered by any other pension or retirement law of the commonwealth, including a special law accepted by, and applicable to employees of, the city, on the date when this retirement system becomes operative shall not be considered to have become a member of this retirement system unless said employee shall then or thereafter make written application to join this system and shall therein waive and renounce all benefits of any other pension or retirement system supported wholly by the city, but no such employee shall receive credit for prior service unless he make such application for membership within one year from the date this retirement system becomes operative.

Employee electing not to become member may thereafter apply for membership, etc.

(2) An employee whose membership in the retirement system is contingent on his own election and who elects not to become a member may thereafter apply for and be admitted to membership; but no such employee shall receive prior service credit unless he becomes a member within one year from the date this retirement system becomes operative.

Right of board to deny membership, etc.

(3) The retirement board may deny the right to become members to any class of officials appointed for fixed terms, or to any class of part-time employees, or it may, in its discretion, make optional with persons in any such class their individual entrance into membership.

Department heads to submit certain information to board.

(4) It shall be the duty of the head of each department to submit to the retirement board a statement showing the name, title, compensation, duties, date of birth and length of service of each member of his department, and such information regarding other employees therein as the retirement board may require. The retirement board shall then place each member in one of the following groups: —

Groups of members.

Group 1. — General employees, including clerical, administrative and technical workers, laborers, mechanics and all others not otherwise classified;

Group 2. — Members of the police department and the fire department of the city;

Or in any other group of not less than two hundred and fifty persons which may be hereafter recommended by the actuary on the basis of service and mortality experience, and approved by the retirement board to cover all or part of any group or groups previously created or any additional classes of employees. When the duties of a member so require, the retirement board may reclassify him in and transfer him to another group.

When member shall cease to be such.

(5) Should any member in any period of six consecutive years after last becoming a member be absent from service more than five years, or should any member withdraw his accumulated deductions or become a beneficiary hereunder or die, he shall thereupon cease to be a member.

CREDITABLE SERVICE.

Members to file statement of prior service, etc.

SECTION 5. (1) Under such rules and regulations as the retirement board shall adopt, each person becoming a member within one year from the date he first becomes eligible to

membership who was in service at the time the system became operative, or who re-entered the service within five years after rendering service prior to the time the system became operative shall file a detailed statement of all service as an employee rendered by him prior to the day on which the system first became operative for which he claims credit, and of such facts as the retirement board may require for the proper operation of the system.

Determination by board of service, etc.

(2) The retirement board shall fix and determine by appropriate rules and regulations how much service in any year is equivalent to a year of service, but in no case shall more than one year of service be creditable for all service in one calendar year, nor shall the retirement board allow credit as service for any period of more than one month's duration during which the employee was absent without pay.

Verification of service, etc.

(3) Subject to the above restrictions and to such other rules and regulations as the retirement board may adopt, the retirement board shall verify, as soon as practicable after the filing of such statements of service, the service therein claimed, and shall certify as creditable all or such part of the service claimed as may be allowable.

Compensation rates to be used, etc.

In lieu of a determination of the actual compensation of the member that was received during such period of prior service, the retirement board shall use for the purposes of this act the compensation rates which, if they had progressed in accordance with the rates of salary increase shown in the tables as prescribed in paragraph (10) of section fourteen of this act, would have resulted in the same average salary of the member for the five years immediately preceding the date this system became operative as the records show the member actually received.

Prior service certificates, etc.

(4) Upon verification of the statements of service the retirement board shall issue prior service certificates certifying to each member entitled to credit for prior service the length of service rendered prior to the date the retirement system first became operative, with which he is credited on the basis of his statement of service. So long as membership continues a prior service certificate shall for retirement purposes be final and conclusive as to such service; provided, that any member may, within one year from the date of issuance or modification of such certificate, request the retirement board to modify or correct his prior service certificate.

Proviso.

Prior service certificates void when membership ceases, etc.

When membership ceases such prior service certificates shall become void. Should the employee again become a member, such employee shall enter the system as an employee not entitled to prior service credit except as provided in subsection three of section nine.

Creditable service, etc.

(5) Creditable service at retirement shall consist of the membership service rendered by the member since he last became a member and also, if he has a prior service certificate which is in full force and effect, the amount of the service certified on his prior service certificate.

SERVICE RETIREMENT.

Conditions for Allowance.

Retirement for superannuation at age of sixty.

SECTION 6. (1) Any member in service who shall have attained age sixty shall, either upon his own written application or that of the head of his department, be retired for superannuation not less than thirty nor more than ninety days after the filing of such application. A member whose retirement is applied for by the head of his department shall be entitled to a notice of such application and to a hearing before the retirement board, provided he requests such hearing in writing within ten days of the receipt of such notice; and unless the retirement board finds, on hearing, that the member is able to properly perform his duties and files a copy of its findings with the head of his department, the retirement shall become effective thirty days from the time of the filing of such finding.

Notice and hearing.

Proviso.

Retirement for superannuation at age of seventy.

Any member in service who shall have attained age seventy shall be retired for superannuation not less than thirty nor more than ninety days after attaining such age, or after this system becomes operative, if such age was attained prior thereto.

Amount of Allowance.

Allowance upon retirement for superannuation.

(2) Upon retirement for superannuation a member of the retirement system shall receive a retirement allowance consisting of —

Annuity.

(*a*) An annuity which shall be the actuarial equivalent of his accumulated deductions at the time of his retirement, and

Pension.

(*b*) A pension equal to the annuity allowable at age sixty, computed on the basis of contributions made prior to the attainment of age sixty, and

Additional pension.

(*c*) If he has a prior service certificate in full force and effect an additional pension which is the actuarial equivalent of twice the pension which would have been payable under paragraph (*b*) above, on account of the accumulated deductions which would have resulted from contributions made during the period of his creditable prior service had the system then been in operation.

Total pension.

The total pension of any member payable under the provisions of this section shall not, however, exceed one half of his average annual regular compensation during the five years immediately preceding his retirement, nor shall the total pension of any member who has fifteen or more years of total creditable service be less than an amount which, added to his annuity, shall make his total retirement allowance equal to four hundred eighty dollars per annum.

ORDINARY DISABILITY RETIREMENT.

Conditions for Allowance.

Ordinary disability retirement, conditions for allowance.

SECTION 7. (1) Upon the application of a member in service or of the head of his department, any member who has had twenty or more years of creditable service may be

retired by the retirement board, not less than thirty and not more than ninety days next following the date of filing such application, on an ordinary disability retirement allowance; provided, that the city physician, after a medical examination of such member, shall certify that such member is mentally or physically incapacitated for the further performance of duty, that such incapacity is likely to be permanent, and that such member should be retired. Proviso.

Amount of Allowance.

(2) Upon retirement for ordinary disability a member shall receive a service retirement allowance if he has attained age sixty; otherwise he shall receive an ordinary disability retirement allowance consisting of — Allowance for retirement for ordinary disability.

(*a*) An annuity which shall be the actuarial equivalent of his accumulated deductions at the time of his retirement, and Annuity.

(*b*) A pension of ninety per centum of the pension that would have been provided by the city for the member had he remained without further change of compensation in the service of the city until he reached age sixty and then retired. Pension.

ACCIDENTAL DISABILITY RETIREMENT.

Conditions for Allowance.

SECTION 8. (1) Upon application of a member in service, or of the head of his department, any member who has been totally and permanently incapacitated for duty as the natural and proximate result of an accident occurring in the performance and within the scope of his duty at some definite time and place, without wilful negligence on his part, shall be retired not less than thirty nor more than ninety days following the date of filing of such application; provided, that the city physician, after an examination of such member, shall report that said member is physically or mentally incapacitated for the further performance of duty, that such incapacity is likely to be permanent, and that said member should be retired, and the retirement board shall concur in such report and find that the physical or mental incapacity is the natural and proximate result of such an accident and that such disability is not the result of wilful negligence on the part of said member and that said member should be retired. Accidental disability retirement, conditions for allowance. Proviso.

Amount of Allowance.

(2) Upon retirement for accidental disability a member shall receive a service retirement allowance if he has attained age sixty; otherwise he shall receive an accidental disability retirement allowance consisting of — Allowance upon retirement for accidental disability.

(*a*) An annuity which shall be the actuarial equivalent of his accumulated deductions at the time of his retirement, and Annuity.

Pension.

(*b*) A pension equal to one half of the average rate of his regular annual compensation for the year immediately preceding the date of the accident.

RE-EXAMINATION OF BENEFICIARIES RETIRED ON ACCOUNT OF DISABILITY.

Annual medical examination of persons under age sixty retired for disability, etc.

SECTION 9. (1) Once each year during the first five years following retirement of a member on a disability retirement allowance, and once in every three-year period thereafter, the retirement board may, and upon his application shall, require any disability beneficiary who has not yet attained age sixty to undergo a medical examination by the city physician or a physician or physicians designated by the retirement board and approved by the mayor, such examination to be made at the place of residence of said beneficiary or other place mutually agreed upon. Should any disability beneficiary who has not yet attained the age of sixty refuse to submit to at least one medical examination in any such period of one or three years, as the case may be, his allowance may be discontinued until his withdrawal of such refusal, and should his refusal continue for a year, all his rights in and to his pension shall be revoked by the retirement board.

Reduction in pension if disability beneficiary is able to engage in gainful occupation, etc.

(2) Should such physician or physicians report and certify to the retirement board that such disability beneficiary is engaged in or is able to engage in a gainful occupation paying more than the difference between his retirement allowance and his final regular compensation, and should the retirement board concur in such report, then the amount of his pension shall be reduced to an amount which, together with his annuity and the amount earnable by him, shall equal the amount of his final regular compensation. Should his earning capacity be later changed, the amount of his pension may be further modified; provided, that the new pension shall not exceed the amount of the pension originally granted nor shall it exceed an amount, which, when added to the amount earnable by the beneficiary together with his annuity, equals the amount of his final regular compensation. A beneficiary restored to active service at a salary less than the final regular compensation upon the basis of which he was retired shall not become a member of the retirement system.

Modification of pension if earning capacity changed.

Proviso.

Restoration to service, etc.

(3) Should a disability beneficiary be restored to active service at a compensation not less than his final regular compensation, his retirement allowance shall cease, he shall again become a member of the retirement system, and he shall contribute thereafter at the same rate he paid prior to disability. Any prior service certificate on the basis of which his service was computed at the time of his retirement shall be restored to full force and effect, and in addition upon his subsequent retirement he shall be credited with all his service as a member.

RETURN OF ACCUMULATED DEDUCTIONS.

Payment if member ceases to be employee for reason other than death or retirement.

Section 10. (1) Within sixty days after the filing with the retirement board of a request therefor, any member who shall have ceased to be an employee by resignation or discharge or for any reason other than death or retirement shall be paid the amount of his accumulated deductions.

Payment if member dies while employee.

(2) Should a member die while an employee, his accumulated deductions shall be paid to his legal representative; provided, that if the sum so due does not exceed three hundred dollars, and there has been no demand therefor by a duly appointed executor or administrator, payment may be made, after the expiration of three months from the date of death of such member, to the persons appearing, in the judgment of the retirement board, to be entitled thereto, and such payment shall be a bar to recovery by any other person.

Proviso.

ACCIDENTAL DEATH BENEFIT.

Accidental death benefit.

Section 11. If, upon receipt by the retirement board of proper proofs of the death of a member, the retirement board shall decide that such death was the natural and proximate result of an accident occurring not more than one year prior to the date of death at some definite time and place while the member was in the actual performance and within the scope of his duty, and not the result of wilful negligence on his part, and if the deceased member is survived by any of the dependents enumerated below, there shall be paid, in addition to accumulated deductions under subsection (2) of section ten, an accidental death benefit consisting of a pension equal to one half the average regular annual compensation received by the deceased member for the year preceding the date of the accident, said pension to be paid —

(*a*) To the surviving husband or wife of the deceased member so long as he or she lives and remains unmarried; or

(*b*) If there be no surviving husband or wife or if the surviving husband or wife dies or remarries before every child of such deceased member shall have attained the age of eighteen years, then to his child or children under such age, divided in such manner as the retirement board in its discretion shall determine to continue as a joint and survivor pension until every such child dies or attains the age of eighteen years; or

(*c*) If there be no husband or wife or child under the age of eighteen years surviving such deceased member, then to either his or her dependent father or dependent mother, as the retirement board in its discretion shall determine, to continue for life or until remarriage.

OPTIONAL BENEFITS.

Optional benefits.

Section 12. Subject to the provisions that no optional selection shall be effective in case a beneficiary dies within thirty days after retirement, and that such a beneficiary shall

be considered as an active member at the time of death, until the first payment on account of any retirement allowance is made, the member, or if he be an incompetent then his wife, or if he have no wife, his conservator or guardian, may elect to convert the retirement allowance otherwise provided for in this system into a lesser retirement allowance of equivalent actuarial value payable throughout his life, with the provision that —

Option 1. — If he die before he has received in payments of his annuity the present value of his annuity as it was at the time of his retirement, the balance shall be paid to his legal representative or to such person having an insurable interest in his life as he, or if he be an incompetent then his wife, or if he have no wife, his conservator or guardian, shall have nominated by written designation duly acknowledged and filed with the retirement board; or

Option 2. — Upon his death, his lesser retirement allowance shall be continued throughout the life of and paid to such person having an insurable interest in his life as he, or if he be an incompetent then his wife, or if he have no wife, his conservator or guardian, shall have nominated by written designation duly acknowledged and filed with the retirement board at the time of his retirement; or

Option 3. — Upon his death, one half his lesser retirement allowance shall be continued throughout the life of and paid to such person having an insurable interest in his life as he, or if he be an incompetent then his wife, or if he have no wife, his conservator or guardian, shall have nominated by written designation, duly acknowledged and filed with the retirement board at the time of his retirement.

COMPENSATION BENEFITS OFFSET.

Offset of amounts paid, etc., by city under workmen's compensation law.

SECTION 13. Any amounts paid or payable by the city under the provisions of the workmen's compensation law to a member or to the dependents of a member on account of death or disability shall be offset against and payable in lieu of any benefits payable out of funds provided by the city under the provisions of this act on account of the death or disability of a member. If the value of the total commuted benefits under the workmen's compensation law is less than the reserve on the pension otherwise payable under this act, the value of such commuted payments shall be deducted from such pension reserve and such benefits as may be provided by the pension reserve so reduced shall be payable under the provisions of this act.

ADMINISTRATION.

Retirement board, membership, terms of office, etc.

SECTION 14. (1) The management of the retirement system is hereby vested in a retirement board, the membership of which shall be constituted as follows: —

(*a*) The auditor of the city for the time being,

(*b*) One person to be appointed by the mayor of the city, subject to confirmation by the board of aldermen, who shall

serve for a term of three years commencing on the date when the retirement system becomes first operative and until the qualification of his successor, and

(c) One person who shall be a member of the retirement system and who shall be appointed by the mayor of the city subject to such confirmation, to serve for a term of one year commencing on the date when the retirement system becomes first operative and until the qualification of his successor.

Appointment of successors.

(2) As the terms of office of the appointed members expire, their successors shall be appointed for terms of three years each and until the qualification of their successors. On a vacancy occurring in the appointed membership of the retirement board, for any cause other than the expiration of a term of office, a successor to the person whose place has become vacant shall be appointed for the unexpired term in the same manner as above provided.

Vacancies.

Reimbursement for expenses, etc.

(3) The members of the retirement board shall be reimbursed from the expense fund for any expense or loss of salary or wages which they may incur through service on the retirement board.

Chairman, election, etc.

(4) The retirement board shall elect from its membership a chairman, and shall by a majority vote of all its members appoint a secretary, who may be, but need not be, one of its members. It shall engage such actuarial and other service as shall be required to transact the business of the retirement system. The funds to meet the costs of administering the retirement system shall be derived from appropriations of the city from the annual tax levy. The retirement board shall submit an estimate of such costs to the mayor not later than January first of each year. Such amount as shall be required in the first year of operation to defray the expenses of the establishment and maintenance of the retirement system shall be appropriated by the board of aldermen.

Actuarial services, etc.

Funds to administer system, how derived.

Board to submit estimate of costs, etc.

To keep data necessary for actuarial valuations.

(5) The retirement board shall keep in convenient form such data as shall be necessary for actuarial valuations of the various funds of the retirement system and for checking the experience of the system.

To keep record of proceedings.

Annual report.

(6) The retirement board shall keep a record of all of its proceedings, which shall be open to public inspection. It shall publish annually a report showing the fiscal transactions of the retirement system for the preceding municipal year, the amount of accumulated cash and securities of the system, and the last balance sheet showing the financial condition of the system by means of actuarial valuation of the assets and liabilities thereof. The board shall submit said report to the mayor and shall furnish copies thereof to the city clerk for distribution.

Legal Adviser.

Legal adviser.

(7) The city solicitor of the city shall be the legal adviser of the retirement board.

Medical Examinations.

City physician to pass upon all medical examinations, etc.

(8) The city physician of the city shall arrange for and pass upon all medical examinations required under the provisions of this act, shall investigate all essential statements and certificates by or in behalf of a member in connection with an application for disability retirement, and shall report in writing to the retirement board his conclusions and recommendations upon all the matters referred to him. If required, other physicians may be employed by the retirement board to report on special cases.

Duties of Actuary.

Actuary, duties.

(9) The retirement board shall designate an actuary who shall be the technical adviser of the retirement board on matters regarding the operation of the funds created by the provisions of this act, and shall perform such other duties as are required in connection therewith.

(10) Immediately after the establishment of the retirement system the actuary shall make such investigation of the mortality, service and compensation experience of the members of the system as he shall recommend and the retirement board shall authorize, and on the basis of such investigation he shall recommend for adoption by the retirement board such tables and such rates as are required by section fifteen. The retirement board shall adopt tables and certify rates, and as soon as practicable thereafter the actuary shall make a valuation, based on such tables and rates, of the assets and liabilities of the funds created by this act.

(11) Three years after the system becomes operative, and at least once in each five-year period thereafter, the actuary shall make an actuarial investigation into the mortality, service and compensation experience of the members and beneficiaries of the retirement system, and shall make a valuation of the assets and liabilities of the funds thereof, and taking into account the result of such investigation and valuation the retirement board shall —

(*a*) Adopt for the retirement system such mortality, service and other tables as shall be deemed necessary; and

(*b*) Certify the rates of contribution payable by the city on account of new entrants.

(12) On the basis of such tables as the retirement board shall from time to time adopt, the actuary shall make an annual valuation of the assets and liabilities of the reserve funds of the system created by this act.

METHOD OF FINANCING.

Assets of retirement system to be credited to certain funds.

SECTION 15. All of the assets of the retirement system shall be credited, according to the purpose for which they are held, to one of the following five funds, namely, the Annuity Savings Fund, the Annuity Reserve Fund, the Pension Accumulation Fund, the Pension Reserve Fund or the Expense Fund.

Annuity Savings Fund.

(1) (*a*) The Annuity Savings Fund shall be the fund to which shall be paid the deductions from the compensation of members. The treasurer of the city shall withhold four per centum of the regular compensation due on each pay day to all employees who are members of this retirement system. The various amounts so withheld shall be transferred immediately thereafter to the retirement system and credited to the accounts of the respective members so contributing, and shall be paid into and become a part of said Annuity Savings Fund. Annuity Savings Fund.

(*b*) In determining the amount earnable by a member in a payroll period, the retirement board may consider the rate of annual compensation payable to such member on the first day of the payroll period as continuing throughout such payroll period, and it may omit deduction from compensation for any period less than a full payroll period if an employee was not a member on the first day of the payroll period.

(*c*) The deductions provided for herein shall be made notwithstanding that the minimum compensation provided for by law for any member shall be reduced thereby. Every member shall be deemed to consent and agree to the deductions provided for herein and shall receipt for his full salary or compensation, and the payment of his full salary or compensation less the deductions provided for hereunder shall be considered a full and complete discharge and acquittance of all claims and demands whatsoever for the services rendered by such person during the period covered by such payment, except as to the benefits provided under this act.

(*d*) In addition to the contributions deducted from compensation as hereinbefore provided, subject to the approval of the retirement board, any member may redeposit in the Annuity Savings Fund by a single payment or by an increased rate of contribution an amount equal to the total amount which he previously withdrew therefrom, as provided in this act, or any part thereof; or any member may deposit therein by a single payment or by an increased rate of contribution an amount computed to be sufficient to purchase an additional annuity, which, together with his prospective retirement allowance, will provide for him a total retirement allowance of not to exceed one half of his salary at age sixty. Such additional amounts so deposited shall be treated as a part of his accumulated deductions, except in the event of his retirement, when they shall not be used to increase the pension payable, and shall be treated as excess contributions returnable to the member in cash or in providing an excess annuity of equivalent actuarial value. The accumulated deductions of a member withdrawn by him or paid to his estate or to his designated beneficiary in event of his death as provided in this act shall be paid from the Annuity Savings Fund. Upon the retirement of a member his accumulated deductions shall be transferred from the Annuity Savings Fund to the Annuity Reserve Fund.

Annuity Reserve Fund.

Annuity Reserve Fund.

(2) The Annuity Reserve Fund shall be the fund from which shall be paid all annuities and all benefits in lieu of annuities, payable as provided in this act. Should a beneficiary, retired on account of disability, be restored to active service with a compensation not less than his regular compensation at the time of his last retirement, his annuity reserve shall be transferred from the Annuity Reserve Fund to the Annuity Savings Fund, and credited to his individual account therein.

Pension Accumulation Fund.

Pension Accumulation Fund.

(3) (*a*) The Pension Accumulation Fund shall be the fund into which shall be accumulated all reserves for the payment of all pensions and other benefits payable from contributions made by the city, and from which shall be paid all pensions and other benefits on account of members with prior service credit. Contributions to and payments from the Pension Accumulation Fund shall be made as follows: —

(*b*) On account of each member there shall be paid annually into the Pension Accumulation Fund by the said city, for the preceding fiscal year, a certain percentage of the regular compensation of each member, to be known as the "normal contribution", and an additional percentage of his regular compensation to be known as the "accrued liability contribution". The rates per centum of such contributions shall be fixed on the basis of the liabilities of the retirement system as shown by actuarial valuation. Until the first valuation the normal contribution shall be one and eighty-nine hundredths per centum, and the accrued liability contribution shall be two and fifty-four hundredths per centum, of the regular annual compensation of all members.

(*c*) On the basis of regular interest and of such mortality and other tables as shall be adopted by the retirement board, the actuary engaged by the board to make each valuation required by this act during the period over which the accrued liability contribution is payable, immediately after making such valuation, shall determine the uniform and constant percentage of the regular compensation of the average new entrant, which if contributed on the basis of compensation of such new entrant throughout his entire period of active service is computed to be sufficient to provide for the payment of any pension payable on his account. The rate per centum so determined shall be known as the "normal contribution" rate. After the accrued liability contribution has ceased to be payable, the normal contribution rate shall be the rate per centum of the regular compensation of all members obtained by deducting from the total liabilities of the Pension Accumulation Fund the amount of the funds in hand to the credit of that fund and dividing the remainder

by one per centum of the present value of the prospective future salaries of all members as computed on the basis of the mortality and service tables adopted by the retirement board and regular interest. The normal rate of contribution shall be determined by the actuary after each valuation. Pension Accumulation Fund.

(*d*) Immediately succeeding the first valuation, the actuary engaged by the retirement board shall compute the rate per centum of the total regular compensation of all members which is equivalent to four per centum of the amount of the total pension liability on account of all members and beneficiaries which is not dischargeable by the aforesaid normal contribution made on account of such members during the remainder of their active service. The rate per centum originally so determined shall be known as the "accrued liability contribution rate".

(*e*) The total amount payable in each year to the Pension Accumulation Fund shall be not less than the sum of the rates per centum known as the normal contribution rate and the accrued liability contribution rate of the total compensation earnable by all members during the preceding year; provided, that the amount of each annual accrued liability contribution shall be at least three per centum greater than the preceding annual accrued liability payment, and that the aggregate payments of the city shall be sufficient when combined with the amount in the fund to provide the pensions and other benefits payable out of the fund during the year then current.

(*f*) The accrued liability contribution shall be discontinued as soon as the accumulated reserve in the Pension Accumulation Fund shall equal the present value, as actuarially computed and approved by the retirement board, of the total liability of such fund less the present value, computed on the basis of the normal contribution rate then in force, of the prospective normal contributions to be received on account of persons who are at that time members.

(*g*) All pensions, and benefits in lieu thereof, with the exception of those payable on account of members who receive no prior service allowance, payable from contributions of the city, shall be paid from the Pension Accumulation Fund.

(*h*) Upon the retirement of a member not entitled to credit for prior service, an amount equal to his pension reserve shall be transferred from the Pension Accumulation Fund to the Pension Reserve Fund.

Pension Reserve Fund.

(4) The Pension Reserve Fund shall be the fund from which shall be paid the pensions to members not entitled to credit for prior service and benefits in lieu thereof. Should such a beneficiary, retired on account of disability, be restored to active service with a compensation not less than his average regular compensation for the year preceding his Pension Reserve Fund.

last retirement, the pension reserve thereon shall be transferred from the Pension Reserve Fund to the Pension Accumulation Fund. Should the pension of a disability beneficiary be reduced as a result of an increase in his earning capacity, the amount of the annual reduction in his pension shall be paid annually into the Pension Accumulation Fund during the period of such reduction.

Expense Fund.

Expense Fund.

(5) The Expense Fund shall be the fund to which shall be credited all money appropriated by the city to pay the administration expenses of the retirement system, and from which shall be paid all the expenses necessary in connection with the administration and operation of the system.

Appropriations.

Appropriations.

(6) (*a*) On or before the first day of December in each year the retirement board shall certify to the mayor the amount of the appropriation necessary to pay to the various funds of the retirement system the amounts payable by the city as enumerated in this act for the year beginning on the first day of January of the succeeding year, and items of appropriation, providing such amounts shall be included in the budget.

(*b*) To cover the requirements of the system for the period prior to the date when the first regular appropriation is due, as provided by paragraph (*a*) of this subsection, such amounts as shall be necessary to cover the needs of the system shall be paid into the Pension Accumulation Fund and the Expense Fund by special appropriations to the system.

MANAGEMENT OF FUNDS.

Management of funds of retirement system.

SECTION 16. (1) The retirement board may invest the funds of the retirement system in such securities as are approved from time to time by the commissioner of insurance for the investment of the funds of life insurance companies under the laws of the commonwealth.

(2) The retirement board shall annually allow regular interest on the average balance for the preceding year to the credit of the various funds from the interest and dividends earned from investments. Any excess earnings over the amount so credited shall be used for reducing the amount of contributions required of the city during the ensuing year. Any deficiency shall be paid by the city during the ensuing year.

(3) The treasurer of the city shall be custodian of the several funds. All payments from said funds shall be made by him only upon vouchers signed by two persons designated by the retirement board. A duly attested copy of a resolution of the retirement board designating such persons and bearing upon its face specimen signatures of such persons

shall be filed with the treasurer as his authority for making payments upon such vouchers. No voucher shall be drawn unless it shall have been previously authorized by resolution of the retirement board.

(4) For the purpose of meeting disbursements for pensions, annuities and other payments an amount of money, not exceeding ten per centum of the total amount in the several funds of the retirement system, may be kept on deposit in one or more banks or trust companies organized under the laws of the commonwealth or of the United States; provided, that the sum on deposit in any one bank or trust company shall not exceed ten per centum of the paid-up capital and surplus thereof.

(5) The retirement board may, in its discretion, transfer to or from the Pension Accumulation Fund the amount of any surplus or deficit which may develop in the reserves creditable to the Annuity Reserve Fund or the Pension Reserve Fund, as shown by actuarial valuation.

(6) Except as otherwise provided herein, no member and no employee of the retirement board shall have any direct interest in the gains or profits of any investment made by the retirement board, nor as such receive any pay or emolument for his services. No member or employee of the board shall, directly or indirectly, for himself or as an agent, in any manner use any of the securities or other assets of the retirement board, except to make such current and necessary payments as are authorized by the retirement board; nor shall any member or employee of the retirement board become an endorser or surety or in any manner an obligor for moneys loaned by or borrowed from the retirement system.

(7) Each member of the retirement board, and the treasurer of the city in his capacity as custodian of the several funds, shall severally give bond for the faithful performance of his duties in a sum and with sureties or surety approved by the board of aldermen.

EXEMPTION OF FUNDS FROM TAXATION AND EXECUTION.

Exemption of funds from taxation and execution.

Section 17. The pensions, annuities and retirement allowances and the accumulated deductions and the cash and securities in the funds created by this act are hereby exempted from any state, county or municipal tax of this commonwealth, and shall not be subject to execution or attachment by trustee process or otherwise, in law or in equity, or under any other process whatsoever, and shall be non-assignable except as specifically provided in this act.

RECEIPT OF BOTH RETIREMENT ALLOWANCE AND SALARY FORBIDDEN.

Beneficiaries not to be paid for services to city, except, etc.

Section 18. No beneficiary of the retirement system shall be paid for any service, except service as a juror and such service as he may be called upon to perform in the police or fire department in a time of public emergency, rendered by

him to the city after the date of the first payment of any retirement allowance hereunder, except as provided in section nine of this act, and except as further provided in this section.

May be employed for periods not exceeding one year at a time, etc.

Notwithstanding the above provision, a beneficiary may be employed, for periods of not exceeding one year at a time, with the approval of the mayor and board of aldermen, and may receive compensation from the city for the services so rendered; provided, that the annual rate of compensation paid, together with the retirement allowance received, shall not exceed the regular compensation of the said beneficiary at the time of retirement.

Proviso.

RIGHT OF APPEAL.

Jurisdiction of supreme judicial court.

Section 19. The supreme judicial court shall have jurisdiction in equity upon the petition of the retirement board or any interested party or upon the petition of not less than ten taxable inhabitants of the city to compel the observance and restrain any violation of this act and the rules and regulations authorized or established thereunder.

TENURE UNAFFECTED.

Certain rights as to demotion, transfer, etc., of employees not affected.

Section 20. Nothing contained in this act shall affect the right or power of the city or other duly constituted authority in regard to demotion, transfer, suspension or discharge of any employee.

INCONSISTENT ACTS.

Inconsistent acts applicable only to employees entitled to benefits thereof on effective date of act.

Section 21. Any of the provisions of sections forty-four, forty-five, seventy-seven, eighty and eighty-three of chapter thirty-two of the General Laws, as amended, which may be inconsistent herewith, and any other acts or parts of acts inconsistent herewith, shall, on and after the effective date of this act, apply only to such employees of the city as are, on said effective date, entitled to the benefits thereof. Nothing herein contained shall be construed as affecting the provisions of sections forty-nine to sixty, inclusive, or of section ninety-two, of chapter thirty-two of the General Laws, as amended.

Question of approval to be voted upon by board of aldermen, etc.

Submission to voters, etc.

Section 22. On or before September first in the current year, the question of the approval of the provisions of this act shall be finally voted upon by the board of aldermen of the city of Chelsea, and, whether or not said provisions are approved by such vote, they shall be submitted for acceptance to the qualified voters of said city at the biennial municipal election to be held in the current year, in the form of the following question, which shall be printed upon the official ballot to be used in said city at said election: — "Shall an act passed by the General Court in the year nineteen hundred and thirty-one, entitled 'An Act providing retirement allowances based on annuity and pension contributions for employees of the city of Chelsea,' be accepted?" If a ma-

jority of the voters voting thereon vote in the affirmative in answer to said question this act shall thereupon take full effect; otherwise it shall not take effect.

Approved June 10, 1931.

An Act authorizing the county of Franklin to provide adequate court house accommodations in the town of Greenfield and authorizing said town to convey certain land to said county in connection therewith. *Chap.* 449

Be it enacted, etc., as follows:

Franklin county may provide adequate court house accommodations in town of Greenfield.

Section 1. For the purpose of providing adequate accommodations and facilities for the county courts and registry of deeds in the town of Greenfield, the county commissioners of Franklin county may purchase from said town land hereinafter described, and may erect on the land so purchased and/or on land already owned by said county, a new county court house and may furnish and equip the same.

Town of Greenfield may convey certain land to Franklin county.

Section 2. Said town of Greenfield is hereby authorized to sell and convey to the county of Franklin for the purposes aforesaid, a portion of the memorial hall property, so called, owned by the town and bounded and described as follows: — Beginning at the northwest corner of the tract to be conveyed, said point being in the south line of Main street and distant fifteen and one one hundredths feet easterly from the stone bound at the intersection of the east line of Hope street with the south line of Main street; runs thence easterly along the south line of Main street, a distance of forty-three and eighty-two one hundredths feet to a stone bound; thence southerly with an interior angle on the property herein described of ninety degrees, seven minutes and fifty seconds, and running along the west line of land of Franklin county, a distance of one hundred seventy-two and fifty-one one hundredths feet to an iron pin; thence turning an interior angle on the property herein described of ninety degrees and thirty and one half minutes, and running westerly along the northerly line of land of Franklin county, a distance of forty and forty-eight one hundredths feet to a point which is nine feet easterly of the present east line of Hope street; thence northerly with an interior angle on the property herein described of ninety degrees, thirty-six minutes and forty seconds, a distance of one hundred seventy-three and nine one hundredths feet to the point of beginning.

Boundaries and description.

County treasurer may borrow money, issue bonds, etc.

Section 3. For the purposes of section one, the treasurer of said county, with the approval of the county commissioners, may borrow from time to time, on the credit of the county, such sums as may be necessary, not exceeding, in the aggregate, four hundred thousand dollars, and may issue bonds or notes of the county therefor, which shall bear on their face the words, Franklin County Court House Loan, Act of

Franklin County Court

House Loan, Act of 1931.

1931. Each authorized issue shall constitute a separate loan, and such loans shall be payable in not more than twenty years from their dates. Such bonds or notes shall be signed by the treasurer of the county and countersigned by a majority of the county commissioners. The county may sell the said securities at public or private sale upon such terms and conditions as the county commissioners may deem proper, but not for less than their par value. Indebtedness incurred under this act shall, except as herein provided, be subject to chapter thirty-five of the General Laws.

County treasurer may borrow money in anticipation of receipts from sale of present court house, issue notes, etc.

SECTION 4. The county treasurer of said county, with the approval of the county commissioners, may also borrow from time to time on the credit of the county, such sums as may be necessary, not exceeding, in the aggregate, fifty thousand dollars, in anticipation of receipts from the sale of the present court house, and may issue notes of the county therefor, and may renew the same for a period not to exceed two years from the date of issue of the first note issued under authority of this section, which shall bear on their face the words, Franklin County Court House Anticipation Loan, Act of 1931. The proceeds of the loan issued under authority of this section shall be applied to the expenses authorized under section one. The county may sell the said securities at public or private sale upon such terms and conditions as the county commissioners may deem proper but not for less than their par value. The county commissioners are also authorized to sell the present court house building and site for not less than fifty thousand dollars, and the proceeds of such sale, so far as necessary, shall be applied to the payment of the anticipation loan herein authorized, and any balance from the proceeds of said sale of the present court house building and site may be applied towards the cost of construction or equipment of the new court house herein authorized, and any balance remaining shall be applied to the payment of indebtedness authorized under section three.

Franklin County Court House Anticipation Loan, Act of 1931.

May issue temporary notes of county, etc.

SECTION 5. The county treasurer, with the approval of the commissioners, may issue temporary notes of the county, payable in not more than one year from their dates, in anticipation of the issue of serial bonds or notes under section three, but the time within which such serial bonds or notes shall become due and payable shall not, by reason of such temporary notes, be extended beyond the time fixed by said section. Any notes issued in anticipation of the serial bonds or notes shall be paid from the proceeds thereof.

Submission to county commissioners, etc.

SECTION 6. This act shall take effect upon its acceptance during the current year by the county commissioners of said county, but not otherwise. *Approved June 10, 1931.*

An Act authorizing certain highway and other improvements in certain cities and towns within the metropolitan district and repealing certain provisions of law relative to a proposed extension of Furnace Brook parkway. *Chap.*450

Be it enacted, etc., as follows:

Metropolitan district commission may construct a parkway or boulevard beginning at certain point on Revere Beach parkway.

Section 1. The metropolitan district commission is hereby authorized to lay out and construct, in accordance with the provisions of chapter ninety-two of the General Laws relative to the laying out and construction of parkways and boulevards, a parkway or boulevard beginning at the intersection of the Revere Beach parkway and the Fellsway in the city of Medford and extending in a general westerly direction over public and private property to a point at or near the intersection of Mystic avenue and Harvard street in the said city, including a bridge, with or without a draw, over the Mystic river.

May widen, etc., certain portion of Alewife Brook parkway.

Section 2. The said commission is hereby further authorized to relocate, widen and reconstruct Alewife Brook parkway from Massachusetts avenue in the city of Cambridge to Mystic Valley parkway in the city of Somerville.

May complete construction of certain portion of East Milton street, etc.

Section 3. The said commission is hereby further authorized to complete the construction of East Milton street from Brush Hill road in the town of Milton to the junction of said East Milton street and Hyde Park avenue at Wolcott street in the Readville district of the city of Boston, as described in paragraph (*d*) of section one of chapter three hundred and thirty-four of the acts of nineteen hundred and twenty-nine, by the construction of a new bridge over the Neponset river, or the reconstruction of the existing bridge known as Paul's bridge with suitable approaches thereto and connections with East Milton street, Brush Hill road and Neponset River parkway.

May construct a parkway or boulevard from a point near junction of Newton and Hammond streets in Brookline, etc.

Section 4. Said commission is hereby further authorized to lay out and construct, in accordance with the said provisions of said chapter ninety-two, a parkway or boulevard from a point at or near the junction of Newton street with Hammond street in the town of Brookline to Beacon street in the city of Newton, over land authorized to be taken, or which has been taken, under the provisions of chapter three hundred and fifty-eight of the acts of nineteen hundred and twenty-nine.

May resurface certain portions of Reedsdale road and Brook road in town of Milton, etc.

Section 5. Said commission is hereby further authorized to resurface Reedsdale road and Brook road in the town of Milton from the intersection of said Reedsdale road and Pleasant street to the intersection of said Brook road and Blue Hill parkway and to grade and resurface the central reservation of the portions of said roads included in the above description, which reservation was formerly occupied by street railway tracks. Upon the completion of the work authorized by this section, said portions of said roads shall become town ways of the town of Milton.

Cost of work authorized by preceding sections.

SECTION 6. The cost of the work authorized by section one shall not exceed four hundred thousand dollars; the cost of the work authorized by section two shall not exceed one hundred thousand dollars; the cost of the work authorized by section three shall not exceed the amount of any unexpended balance of any appropriation previously made for the construction authorized by paragraph (*d*) of section one of said chapter three hundred and thirty-four, and, in addition, a sum not exceeding fifty thousand dollars; the cost of the work authorized by section four shall not exceed four hundred thousand dollars; and the cost of the work authorized by section five shall not exceed the amount of any unexpended balance of any appropriation previously made for the work authorized by section twenty-one of chapter four hundred and twenty of the acts of nineteen hundred and thirty, and said unexpended balance may be expended for the work authorized by section five.

One half of expenditures to be assessed upon cities and towns of metropolitan parks district.

Remainder to be paid from Highway Fund, etc.

SECTION 7. One half of the expenditures made under authority of sections one to five, inclusive, shall be assessed upon the cities and towns of the metropolitan parks district in proportion to the respective taxable valuations of the property of said cities and towns as defined by section fifty-nine of said chapter ninety-two. Of the remainder of said expenditures, other than those made from previous appropriations as aforesaid and previously authorized to be paid from the Highway Fund, two hundred and seventy-five thousand dollars shall be paid from the Highway Fund for the current year and two hundred thousand dollars shall be paid from the Highway Fund for the year nineteen hundred and thirty-two.

Department of public works to estimate cost of an overpass at certain point on Huntington avenue in Boston, etc.

SECTION 8. The department of public works is hereby directed to make surveys and prepare plans and estimates of cost of a grade separation by means of an overpass at the intersection of the Riverway and Huntington avenue in the city of Boston. The department may expend therefor, from the Highway Fund, such amount, not exceeding ten thousand dollars, as may be hereafter appropriated.

1930, 420, § 21, repealed.

SECTION 9. Section twenty-one of chapter four hundred and twenty of the acts of nineteen hundred and thirty is hereby repealed.

1930, 420, § 25, amended.

SECTION 10. Section twenty-five of said chapter four hundred and twenty is hereby amended by striking out, in the second line, the words "to twenty-two, inclusive," and inserting in place thereof the words: — and twenty-two, — so as to read as follows: — *Section 25.* One half of the expenditures made under authority of sections twenty and twenty-two shall be paid by the cities and towns of the metropolitan parks district in proportion to the respective taxable valuations of the property of said cities and towns as defined by section fifty-nine of chapter ninety-two of the General Laws; and the remaining half shall be paid from the Highway Fund.

Expenditures made under authority of sections 20 and 22, how paid.

Expenditures made under authority of

SECTION 11. All expenditures made by the metropolitan district commission under authority of section twenty-one

of said chapter four hundred and twenty prior to the effective date of this act shall be paid as provided in section twenty-five of said chapter four hundred and twenty as in effect immediately prior to said effective date. 1930, 420, § 21, how paid.

Approved June 10, 1931.

An Act relative to the terms of certain bonds to be issued by the commonwealth. *Chap.* 451

Be it enacted, etc., as follows:

Section 1. The term of the bonds which the state treasurer is authorized to issue under chapter three hundred and eleven of the acts of the current year, providing for the construction and leasing by the commonwealth of a fish pier in Gloucester harbor, shall not exceed five years. Term of state bonds for construction of a fish pier in Gloucester harbor.

Section 2. The term of the bonds which the state treasurer is authorized to issue under chapter three hundred and eighty-four of the acts of the current year, providing additional court house accommodations and facilities for the courts and other officials in the county of Suffolk, shall not exceed five years. Term of state bonds to provide additional court house accommodations in Suffolk county.

Approved June 10, 1931.

An Act providing for the transfer and conveyance to the commonwealth of the property of the soldiers' home in Massachusetts and establishing a state board of trustees of said home. *Chap.* 452

Be it enacted, etc., as follows:

Section 1. The acceptance from the commonwealth by the trustees of the Soldiers' Home in Massachusetts, a corporation duly established by law, of the sum of three hundred thousand dollars, made available by item one hundred and sixty-one a of chapter two hundred and sixty-eight of the acts of the current year, for the construction of new buildings at said institution shall constitute a conclusive agreement on the part of said trustees, and their successors, to transfer and convey to the commonwealth, on December first, nineteen hundred and thirty-four, all real and personal property held by said trustees for the purposes of said institution. Said trustees, and their successors, are hereby authorized to transfer and convey said property as aforesaid, except that the property included in the "legacy fund" and the "effects accounts" and held in trust by said trustees shall not be so transferred unless and until such transfer shall be authorized by a decree of a court of competent jurisdiction. Upon the transfer and conveyance of all the property of said Soldiers' Home in Massachusetts as aforesaid, said corporation shall be deemed to be dissolved, and said home shall become a state institution. Transfer and conveyance to commonwealth of property of Soldiers' Home in Massachusetts. Home to become a state institution.

Section 2. Chapter six of the General Laws, as amended in section seventeen by section one of chapter three hundred and eighty-three of the acts of nineteen hundred and twenty- G. L. 6, § 17, etc., amended.

eight, is hereby further amended by striking out said section seventeen and inserting in place thereof the following: —

Certain officers to serve under governor and council.

Section 17. The armory commissioners, the art commission, the commission on administration and finance, the commissioner of state aid and pensions, the commissioners on uniform state laws, the public bequest commission, the state ballot law commission, the board of trustees of the Soldiers' Home in Massachusetts and the trustees of the state library shall serve under the governor and council, and shall be subject to such supervision as the governor and council deem necessary or proper.

G. L. 6, two new sections at end thereof.

SECTION 3. Said chapter six is hereby further amended by adding at the end thereof under the heading, BOARD OF TRUSTEES OF THE SOLDIERS' HOME IN MASSACHUSETTS, the two following new sections: — *Section 40.* There shall be a board of trustees of the Soldiers' Home in Massachusetts, consisting of seven persons, at least five of whom shall be war veterans. Upon the expiration of the term of office of a member, his successor shall be appointed by the governor, with the advice and consent of the council, to serve for seven years. The governor shall designate one of the members as chairman. The members shall serve without compensation, but shall receive their necessary expenses incurred in the discharge of their official duties.

Board of trustees of the Soldiers' Home in Massachusetts, how constituted.

Chairman.

No compensation, etc.

Board of trustees to have management and control of home and property, etc.

Section 41. Said board of trustees shall have the management and control of said home and all property, real and personal, belonging to the commonwealth and occupied or used by said home, and shall hold and administer in trust the property included in the "legacy fund" and the "effects accounts", if and when the transfer thereof to the commonwealth is effected pursuant to a decree of a court of competent jurisdiction, and in accordance with the terms and conditions imposed by such decree. In the management and control of said home as aforesaid, said board of trustees shall have the same powers and perform the same duties as are vested and imposed in the trustees of state hospitals under the provisions of chapter one hundred and twenty-three, so far as applicable.

To have certain powers, etc.

Board of trustees of the Soldiers' Home in Massachusetts, appointment, terms.

SECTION 4. In the month of November, nineteen hundred and thirty-four, the governor, with the advice and consent of the council, shall appoint seven persons, qualified as hereinbefore provided, to serve as the board of trustees of the Soldiers' Home in Massachusetts, hereinbefore established, for terms of one, two, three, four, five, six and seven years, respectively, as the governor may designate, from the first day of December following.

Sections 2 and 3, effective date.

Section 4, effective date.

SECTION 5. Sections two and three of this act shall take effect December first, nineteen hundred and thirty-four, and section four thereof shall take effect November first of said year. *Approved June 10, 1931.*

An Act providing retirement allowances based on annuity and pension contributions for employees of the city of Cambridge. *Chap.* 453

Be it enacted, etc., as follows:

PURPOSE OF ACT.

Cambridge retirement act, purpose, etc.

Section 1. The purpose of this act is to improve the efficiency of the public service of the city of Cambridge, hereinafter called the city, by the retirement of disabled or superannuated employees.

DEFINITIONS.

Definitions.

Section 2. The following words and phrases as used in this act, unless a different meaning is plainly required by the context, shall have the following meanings: —

"Retirement system".

(1) "Retirement system", the arrangement provided in this act for the retirement of, and payment of retirement allowances to, employees as defined in paragraph (2) of this section.

"Employee".

(2) "Employee", any person who is regularly employed in the service of, and whose salary or compensation is paid by, the city, except employees who hold office by popular election, who were not members at the time of their election, and teachers in the public schools as defined by section six of chapter thirty-two of the General Laws. In all cases of doubt the retirement board shall decide who is an employee within the meaning of this act.

"Member".

(3) "Member", any employee included in the retirement system as provided in section four of this act.

"Retirement board".

(4) "Retirement board", the board provided in section fourteen of this act to administer the retirement system.

"Service".

(5) "Service", service as an employee as described in paragraph (2) of this section and paid for by the city of Cambridge.

"Prior service".

(6) "Prior service", service rendered prior to the date the retirement system becomes first operative, for which credit is allowable under the provisions of section five of this act.

"Membership service".

(7) "Membership service", service as an employee rendered since last becoming a member.

"Creditable service".

(8) "Creditable service", "prior service" plus "membership service", for which credit is allowable as provided in section five of this act.

"Beneficiary".

(9) "Beneficiary", any person in receipt of a pension, an annuity, a retirement allowance or other benefit as provided by this act.

"Regular interest".

Provisos.

(10) "Regular interest", interest at four per centum per annum compounded annually; provided, that if the actual net interest earned on the reserves of the retirement system be less than four per centum, the rate may be reduced to not less than three per centum per annum after the retire-

ment board has given the members ninety days' notice of a proposed reduction in rate; and provided, further, that such a reduction shall not affect any payments or credits made prior to the date of the change in rate.

"Accumulated deductions". (11) "Accumulated deductions", the sum of all the amounts deducted from the compensation of a member and standing to his credit in the annuity savings fund, together with regular interest thereon.

"Annuity". (12) "Annuity", annual payments for life derived from the accumulated deductions of a member. All annuities shall be paid in monthly instalments.

"Pension". (13) "Pension", annual payments for life derived from contributions made by the city. All pensions shall be paid in monthly instalments.

"Retirement allowance". (14) "Retirement allowance", the sum of the "annuity" and the "pension".

"Regular compensation". (15) "Regular compensation", the annual compensation determined by the head of the department for the individual service of each employee in that department and the compensation determined by duly constituted authority for appointed officers of the city, exclusive of bonus or overtime payments.

"Annuity reserve". (16) "Annuity reserve", the present value of all payments to be made on account of any annuity or benefit in lieu of any annuity computed upon the basis of such mortality tables as shall be adopted by the retirement board and regular interest.

"Pension reserve". (17) "Pension reserve", the present value of all payments to be made on account of any pension or benefit in lieu of any pension computed upon the basis of such mortality tables as shall be adopted by the retirement board and regular interest.

"Actuarial equivalent". (18) "Actuarial equivalent", a benefit of equal value when computed upon the basis of such mortality tables as shall be approved by the retirement board and regular interest.

NAME AND DATE SYSTEM IS FIRST OPERATIVE.

Cambridge Retirement System established. SECTION 3. A retirement system is hereby established and placed under the management of the retirement board for the purpose of providing retirement allowances under the provisions of this act for employees of, or employees paid by, the city. The retirement system so created shall have the powers and privileges of a corporation and shall be known as the "Cambridge Retirement System", and by such name all of its business shall be transacted, all of its funds invested, all warrants for money drawn and payments made, and all of its cash and securities and other property held. The retirement system so created shall begin operation upon the first day of January, nineteen hundred and thirty-two.

Date of operation.

MEMBERSHIP.

SECTION 4. (1) The membership of the retirement system shall be constituted as follows: — Retirement system, membership.

(*a*) All persons who become employees and, except as otherwise provided in the last sentence of subsection (2) of section nine, all employees who enter or re-enter the service of the city on or after the day the retirement system becomes operative may become members of the retirement system on their own application, and all such employees who shall complete one year of service thereafter and disability beneficiaries restored to active service to whom the provisions of subsection (3) of said section nine apply shall become members of the retirement system, and after becoming members as above provided shall receive no pension or retirement allowance from any other pension or retirement system supported wholly or in part by the city, nor shall they be required to make contributions to any other pension or retirement system of the city, anything to the contrary in this or any other special or general law notwithstanding.

(*b*) All persons who are employees on the date when this retirement system becomes operative and who are not then covered by any other pension or retirement law of the commonwealth shall become members as of the first day this retirement system becomes operative, unless on or before a date not more than sixty days thereafter, to be set by the retirement board, any such employee shall file with the retirement board on a form prescribed by the board a notice of his election not to be covered in the membership of the system and a duly executed waiver of all present and prospective benefits which would otherwise inure to him on account of his participation in the retirement system. Employees on date of operation of retirement system, not covered by other pension law of state, etc.

(*c*) An employee who is covered by any other pension or retirement law of the commonwealth, including a special law accepted by, and applicable to employees of, the city, on the date when this retirement system becomes operative shall not be considered to have become a member of this retirement system unless said employee shall then or thereafter make written application to join this system and shall therein waive and renounce all benefits of any other pension or retirement system supported wholly by the city, but no such employee shall receive credit for prior service unless he make such application for membership within one year from the date this retirement system becomes operative. Employees covered by other pension or retirement laws, etc.

(2) An employee whose membership in the retirement system is contingent on his own election and who elects not to become a member may thereafter apply for and be admitted to membership; but no such employee shall receive prior service credit unless he becomes a member within one year from the date this retirement system becomes operative. Employee electing not to become member may thereafter apply for membership, etc.

(3) The retirement board may deny the right to become members to any class of officials appointed for fixed terms, or to any class of part-time employees, or it may, in its dis- Right of board to deny membership, etc.

cretion, make optional with persons in any such class their individual entrance into membership.

Department heads to submit certain information to board.

(4) It shall be the duty of the head of each department to submit to the retirement board a statement showing the name, title, compensation, duties, date of birth and length of service of each member of his department, and such information regarding other employees therein as the retirement board may require. The retirement board shall then place each member in one of the following groups: —

Groups of members.

Group 1. — General employees, including clerical, administrative and technical workers, laborers, mechanics and all others not otherwise classified;

Group 2. — Members of the police department and the fire department of the city;

Or in any other group of not less than two hundred and fifty persons which may be hereafter recommended by the actuary on the basis of service and mortality experience, and approved by the retirement board to cover all or part of any group or groups previously created or any additional classes of employees. When the duties of a member so require, the retirement board may reclassify him in and transfer him to another group.

When member shall cease to be such.

(5) Should any member in any period of six consecutive years after last becoming a member be absent from service more than five years, or should any member withdraw his accumulated deductions or become a beneficiary hereunder or die, he shall thereupon cease to be a member.

CREDITABLE SERVICE.

Members to file statement of prior service, etc.

SECTION 5. (1) Under such rules and regulations as the retirement board shall adopt, each person becoming a member within one year from the date he first becomes eligible to membership who was in service at the time the system became operative, or who re-entered the service within five years after rendering service prior to the time the system became operative shall file a detailed statement of all service as an employee rendered by him prior to the day on which the system first became operative for which he claims credit, and of such facts as the retirement board may require for the proper operation of the system.

Determination by board of service, etc.

(2) The retirement board shall fix and determine by appropriate rules and regulations how much service in any year is equivalent to a year of service, but in no case shall more than one year of service be creditable for all service in one calendar year, nor shall the retirement board allow credit as service for any period of more than one month's duration during which the employee was absent without pay.

Verification of service, etc.

(3) Subject to the above restrictions and to such other rules and regulations as the retirement board may adopt, the retirement board shall verify, as soon as practicable after the filing of such statements of service, the service therein claimed, and shall certify as creditable all or such part of the service claimed as may be allowable.

In lieu of a determination of the actual compensation of the member that was received during such period of prior service, the retirement board shall use for the purposes of this act the compensation rates which, if they had progressed in accordance with the rates of salary increase shown in the tables as prescribed in paragraph (10) of section fourteen of this act, would have resulted in the same average salary of the member for the five years immediately preceding the date this system became operative as the records show the member actually received. Compensation rates to be used, etc.

(4) Upon verification of the statements of service the retirement board shall issue prior service certificates certifying to each member entitled to credit for prior service the length of service rendered prior to the date the retirement system first became operative, with which he is credited on the basis of his statement of service. So long as membership continues a prior service certificate shall for retirement purposes be final and conclusive as to such service; provided, that any member may, within one year from the date of issuance or modification of such certificate, request the retirement board to modify or correct his prior service certificate. Prior service certificates, etc. Proviso.

When membership ceases such prior service certificates shall become void. Should the employee again become a member, such employee shall enter the system as an employee not entitled to prior service credit except as provided in subsection three of section nine. Prior service certificates void when membership ceases, etc.

(5) Creditable service at retirement shall consist of the membership service rendered by the member since he last became a member and also, if he has a prior service certificate which is in full force and effect, the amount of the service certified on his prior service certificate. Creditable service, etc.

SERVICE RETIREMENT.

Conditions for Allowance.

SECTION 6. (1) Any member in service who shall have attained age sixty shall, either upon his own written application or that of the head of his department, be retired for superannuation not less than thirty nor more than ninety days after the filing of such application. A member whose retirement is applied for by the head of his department shall be entitled to a notice of such application and to a hearing before the retirement board, provided he requests such hearing in writing within ten days of the receipt of such notice; and unless the retirement board finds, on hearing, that the member is able to properly perform his duties and files a copy of its findings with the head of his department, the retirement shall become effective thirty days from the time of the filing of such finding. Retirement for superannuation at age of sixty. Notice and hearing. Proviso.

Any member in service who shall have attained age seventy shall be retired for superannuation not less than thirty nor more than ninety days after attaining such age, or after this system becomes operative, if such age was attained prior thereto. Retirement for superannuation at age of seventy.

Amount of Allowance.

Allowance upon retirement for superannuation.

(2) Upon retirement for superannuation a member of the retirement system shall receive a retirement allowance consisting of —

Annuity.

(*a*) An annuity which shall be the actuarial equivalent of his accumulated deductions at the time of his retirement, and

Pension.

(*b*) A pension equal to the annuity allowable at age sixty, computed on the basis of contributions made prior to the attainment of age sixty, and

Additional pension.

(*c*) If he has a prior service certificate in full force and effect an additional pension which is the actuarial equivalent of twice the pension which would have been payable under paragraph (*b*) above, on account of the accumulated deductions which would have resulted from contributions made during the period of his creditable prior service had the system then been in operation.

Total pension.

The total pension of any member payable under the provisions of this section shall not, however, exceed one half of his average annual regular compensation during the five years immediately preceding his retirement, nor shall the total pension of any member who has fifteen or more years of total creditable service be less than an amount which, added to his annuity, shall make his total retirement allowance equal to four hundred eighty dollars per annum.

ORDINARY DISABILITY RETIREMENT.

Conditions for Allowance.

Ordinary disability retirement, conditions for allowance.

SECTION 7. (1) Upon the application of a member in service or of the head of his department, any member who has had twenty or more years of creditable service may be retired by the retirement board, not less than thirty and not more than ninety days next following the date of filing such application, on an ordinary disability retirement allowance;

Proviso.

provided, that the city physician, after a medical examination of such member, shall certify that such member is mentally or physically incapacitated for the further performance of duty, that such incapacity is likely to be permanent, and that such member should be retired.

Amount of Allowance.

Allowance for retirement for ordinary disability.

(2) Upon retirement for ordinary disability a member shall receive a service retirement allowance if he has attained age sixty; otherwise he shall receive an ordinary disability retirement allowance consisting of —

Annuity.

(*a*) An annuity which shall be the actuarial equivalent of his accumulated deductions at the time of his retirement, and

Pension.

(*b*) A pension of ninety per centum of the pension that would have been provided by the city for the member had he remained without further change of compensation in the service of the city until he reached age sixty and then retired.

ACCIDENTAL DISABILITY RETIREMENT.

Conditions for Allowance.

Accidental disability retirement, conditions for allowance.

Section 8. (1) Upon application of a member in service, or of the head of his department, any member who has been totally and permanently incapacitated for duty as the natural and proximate result of an accident occurring in the performance and within the scope of his duty at some definite time and place, without wilful negligence on his part, shall be retired not less than thirty nor more than ninety days following the date of filing of such application; provided, that the city physician, after an examination of such member, shall report that said member is physically or mentally incapacitated for the further performance of duty, that such incapacity is likely to be permanent, and that said member should be retired, and the retirement board shall concur in such report and find that the physical or mental incapacity is the natural and proximate result of such an accident and that such disability is not the result of wilful negligence on the part of said member and that said member should be retired.

Proviso.

Amount of Allowance.

Allowance upon retirement for accidental disability.

(2) Upon retirement for accidental disability a member shall receive a service retirement allowance if he has attained age sixty; otherwise he shall receive an accidental disability retirement allowance consisting of —

Annuity.

(*a*) An annuity which shall be the actuarial equivalent of his accumulated deductions at the time of his retirement, and

Pension.

(*b*) A pension equal to one half of the average rate of his regular annual compensation for the year immediately preceding the date of the accident.

RE-EXAMINATION OF BENEFICIARIES RETIRED ON ACCOUNT OF DISABILITY.

Annual medical examination of persons under age sixty retired for disability, etc.

Section 9. (1) Once each year during the first five years following retirement of a member on a disability retirement allowance, and once in every three-year period thereafter, the retirement board may, and upon his application shall, require any disability beneficiary who has not yet attained age sixty to undergo a medical examination by the city physician or a physician or physicians designated by the retirement board and approved by the mayor, such examination to be made at the place of residence of said beneficiary or other place mutually agreed upon. Should any disability beneficiary who has not yet attained the age of sixty refuse to submit to at least one medical examination in any such period of one or three years, as the case may be, his allowance may be discontinued until his withdrawal of such refusal, and should his refusal continue for a year, all his rights in and to his pension shall be revoked by the retirement board.

Reduction in pension if disability beneficiary is able to engage in gainful occupation.

(2) Should such physician or physicians report and certify to the retirement board that such disability beneficiary is engaged in or is able to engage in a gainful occupation paying more than the difference between his retirement allowance and his final regular compensation, and should the retirement board concur in such report, then the amount of his pension shall be reduced to an amount which, together with his annuity and the amount earnable by him, shall equal the amount of his final regular compensation. Should his earning capacity be later changed, the amount of his pension may be further modified; provided, that the new pension shall not exceed the amount of the pension originally granted nor shall it exceed an amount, which, when added to the amount earnable by the beneficiary together with his annuity, equals the amount of his final regular compensation. A beneficiary restored to active service at a salary less than the final regular compensation upon the basis of which he was retired shall not become a member of the retirement system.

Modification of pension if earning capacity changed.

Proviso.

Restoration to service, etc.

(3) Should a disability beneficiary be restored to active service at a compensation not less than his final regular compensation, his retirement allowance shall cease, he shall again become a member of the retirement system, and he shall contribute thereafter at the same rate he paid prior to disability. Any prior service certificate on the basis of which his service was computed at the time of his retirement shall be restored to full force and effect, and in addition upon his subsequent retirement he shall be credited with all his service as a member.

RETURN OF ACCUMULATED DEDUCTIONS.

Payment if member ceases to be employee for reason other than death or retirement.

SECTION 10. (1) Within sixty days after the filing with the retirement board of a request therefor, any member who shall have ceased to be an employee by resignation or discharge or for any reason other than death or retirement shall be paid the amount of his accumulated deductions.

Payment if member dies while employee.

(2) Should a member die while an employee, his accumulated deductions shall be paid to his legal representative;

Proviso.

provided, that if the sum so due does not exceed three hundred dollars, and there has been no demand therefor by a duly appointed executor or administrator, payment may be made, after the expiration of three months from the date of death of such member, to the persons appearing, in the judgment of the retirement board, to be entitled thereto, and such payment shall be a bar to recovery by any other person.

ACCIDENTAL DEATH BENEFIT.

Accidental death benefit.

SECTION 11. If, upon receipt by the retirement board of proper proofs of the death of a member, the retirement board shall decide that such death was the natural and proximate result of an accident occurring not more than one

year prior to the date of death at some definite time and place while the member was in the actual performance and within the scope of his duty, and not the result of wilful negligence on his part, and if the deceased member is survived by any of the dependents enumerated below, there shall be paid, in addition to accumulated deductions under subsection (2) of section ten, an accidental death benefit consisting of a pension equal to one half the average regular annual compensation received by the deceased member for the year preceding the date of the accident, said pension to be paid —

(*a*) To the surviving husband or wife of the deceased member so long as he or she lives and remains unmarried; or

(*b*) If there be no surviving husband or wife or if the surviving husband or wife dies or remarries before every child of such deceased member shall have attained the age of eighteen years, then to his child or children under such age, divided in such manner as the retirement board in its discretion shall determine to continue as a joint and survivor pension until every such child dies or attains the age of eighteen years; or

(*c*) If there be no husband or wife or child under the age of eighteen years surviving such deceased member, then to either his or her dependent father or dependent mother, as the retirement board in its discretion shall determine, to continue for life or until remarriage.

OPTIONAL BENEFITS.

Optional benefits.

Section 12. Subject to the provisions that no optional selection shall be effective in case a beneficiary dies within thirty days after retirement, and that such a beneficiary shall be considered as an active member at the time of death, until the first payment on account of any retirement allowance is made, the member, or if he be an incompetent then his wife, or if he have no wife, his conservator or guardian, may elect to convert the retirement allowance otherwise provided for in this system into a lesser retirement allowance of equivalent actuarial value payable throughout his life, with the provision that —

Option 1. — If he die before he has received in payments of his annuity the present value of his annuity as it was at the time of his retirement, the balance shall be paid to his legal representative or to such person having an insurable interest in his life as he, or if he be an incompetent then his wife, or if he have no wife, his conservator or guardian, shall have nominated by written designation duly acknowledged and filed with the retirement board; or

Option 2. — Upon his death, his lesser retirement allowance shall be continued throughout the life of and paid to such person having an insurable interest in his life as he, or if he be an incompetent then his wife, or if he have no wife, his conservator or guardian, shall have nominated by written

designation duly acknowledged and filed with the retirement board at the time of his retirement; or

Option 3. — Upon his death, one half his lesser retirement allowance shall be continued throughout the life of and paid to such person having an insurable interest in his life as he, or if he be an incompetent then his wife, or if he have no wife, his conservator or guardian, shall have nominated by written designation, duly acknowledged and filed with the retirement board at the time of his retirement.

COMPENSATION BENEFITS OFFSET.

Offset of amounts paid, etc., by city under workmen's compensation law.

SECTION 13. Any amounts paid or payable by the city under the provisions of the workmen's compensation law to a member or to the dependents of a member on account of death or disability shall be offset against and payable in lieu of any benefits payable out of funds provided by the city under the provisions of this act on account of the death or disability of a member. If the value of the total commuted benefits under the workmen's compensation law is less than the reserve on the pension otherwise payable under this act, the value of such commuted payments shall be deducted from such pension reserve and such benefits as may be provided by the pension reserve so reduced shall be payable under the provisions of this act.

ADMINISTRATION.

Retirement board, membership, terms of office, etc.

SECTION 14. (1) The management of the retirement system is hereby vested in a retirement board, the membership of which shall be constituted as follows: —

(*a*) The auditor of the city for the time being,

(*b*) One person to be appointed by the mayor of the city, subject to confirmation by the city council, who shall serve for a term of three years commencing on the date when the retirement system becomes first operative and until the qualification of his successor, and

(*c*) One person who shall be a member of the retirement system and who shall be appointed by the mayor of the city subject to such confirmation, to serve for a term of one year commencing on the date when the retirement system becomes first operative and until the qualification of his successor.

Appointment of successors.

(2) As the terms of office of the appointed members expire, their successors shall be appointed for terms of three years each and until the qualification of their successors. On a vacancy occurring in the appointed membership of the retirement board, for any cause other than the expiration of a term of office, a successor to the person whose place has become vacant shall be appointed for the unexpired term in the same manner as above provided.

Vacancies.

Reimbursement for expenses, etc.

(3) The members of the retirement board shall be reimbursed from the expense fund for any expense or loss of salary or wages which they may incur through service on the retirement board.

(4) The retirement board shall elect from its membership a chairman, and shall by a majority vote of all its members appoint a secretary, who may be, but need not be, one of its members. It shall engage such actuarial and other service as shall be required to transact the business of the retirement system. The funds to meet the costs of administering the retirement system shall be derived from appropriations of the city from the annual tax levy. The retirement board shall submit an estimate of such costs to the mayor not later than January first of each year. Such amount as shall be required in the first year of operation to defray the expenses of the establishment and maintenance of the retirement system shall be appropriated by the city council.

Chairman, election, etc.

Actuarial services, etc.

Funds to administer system, how derived.

Board to submit estimate of costs, etc.

(5) The retirement board shall keep in convenient form such data as shall be necessary for actuarial valuations of the various funds of the retirement system and for checking the experience of the system.

To keep data necessary for actuarial valuations.

(6) The retirement board shall keep a record of all of its proceedings, which shall be open to public inspection. It shall publish annually a report showing the fiscal transactions of the retirement system for the preceding municipal year, the amount of accumulated cash and securities of the system, and the last balance sheet showing the financial condition of the system by means of actuarial valuation of the assets and liabilities thereof. The board shall submit said report to the mayor and shall furnish copies thereof to the city clerk for distribution.

To keep record of proceedings.

Annual report.

Legal Adviser.

(7) The city solicitor of the city shall be the legal adviser of the retirement board.

Legal adviser.

Medical Examinations.

(8) The city physician of the city shall arrange for and pass upon all medical examinations required under the provisions of this act, shall investigate all essential statements and certificates by or in behalf of a member in connection with an application for disability retirement, and shall report in writing to the retirement board his conclusions and recommendations upon all the matters referred to him. If required, other physicians may be employed by the retirement board to report on special cases.

City physician to pass upon all medical examinations, etc.

Duties of Actuary.

(9) The retirement board shall designate an actuary who shall be the technical adviser of the retirement board on matters regarding the operation of the funds created by the provisions of this act, and shall perform such other duties as are required in connection therewith.

Actuary, duties.

(10) Immediately after the establishment of the retirement system the actuary shall make such investigation of the mortality, service and compensation experience of the mem-

bers of the system as he shall recommend and the retirement board shall authorize, and on the basis of such investigation he shall recommend for adoption by the retirement board such tables and such rates as are required by section fifteen. The retirement board shall adopt tables and certify rates, and as soon as practicable thereafter the actuary shall make a valuation, based on such tables and rates, of the assets and liabilities of the funds created by this act.

(11) Three years after the system becomes operative, and at least once in each five-year period thereafter, the actuary shall make an actuarial investigation into the mortality, service and compensation experience of the members and beneficiaries of the retirement system, and shall make a valuation of the assets and liabilities of the funds thereof, and taking into account the result of such investigation and valuation the retirement board shall —

(*a*) Adopt for the retirement system such mortality, service and other tables as shall be deemed necessary; and

(*b*) Certify the rates of contribution payable by the city on account of new entrants.

(12) On the basis of such tables as the retirement board shall from time to time adopt, the actuary shall make an annual valuation of the assets and liabilities of the reserve funds of the system created by this act.

METHOD OF FINANCING.

Assets of retirement system to be credited to certain funds.

SECTION 15. All of the assets of the retirement system shall be credited, according to the purpose for which they are held, to one of the following five funds, namely, the Annuity Savings Fund, the Annuity Reserve Fund, the Pension Accumulation Fund, the Pension Reserve Fund or the Expense Fund.

Annuity Savings Fund.

Annuity Savings Fund.

(1) (*a*) The Annuity Savings Fund shall be the fund to which shall be paid the deductions from the compensation of members. The treasurer of the city shall withhold four per centum of the regular compensation due on each pay day to all employees who are members of this retirement system. The various amounts so withheld shall be transferred immediately thereafter to the retirement system and credited to the accounts of the respective members so contributing, and shall be paid into and become a part of said Annuity Savings Fund.

(*b*) In determining the amount earnable by a member in a payroll period, the retirement board may consider the rate of annual compensation payable to such member on the first day of the payroll period as continuing throughout such payroll period, and it may omit deduction from compensation for any period less than a full payroll period if an employee was not a member on the first day of the payroll period.

(*c*) The deductions provided for herein shall be made notwithstanding that the minimum compensation provided for by law for any member shall be reduced thereby. Every member shall be deemed to consent and agree to the deductions provided for herein and shall receipt for his full salary or compensation, and the payment of his full salary or compensation less the deductions provided for hereunder shall be considered a full and complete discharge and acquittance of all claims and demands whatsoever for the services rendered by such person during the period covered by such payment, except as to the benefits provided under this act. Annuity Savings Fund.

(*d*) In addition to the contributions deducted from compensation as hereinbefore provided, subject to the approval of the retirement board, any member may redeposit in the Annuity Savings Fund by a single payment or by an increased rate of contribution an amount equal to the total amount which he previously withdrew therefrom, as provided in this act, or any part thereof; or any member may deposit therein by a single payment or by an increased rate of contribution an amount computed to be sufficient to purchase an additional annuity, which, together with his prospective retirement allowance, will provide for him a total retirement allowance of not to exceed one half of his salary at age sixty. Such additional amounts so deposited shall be treated as a part of his accumulated deductions, except in the event of his retirement, when they shall not be used to increase the pension payable, and shall be treated as excess contributions returnable to the member in cash or in providing an excess annuity of equivalent actuarial value. The accumulated deductions of a member withdrawn by him or paid to his estate or to his designated beneficiary in event of his death as provided in this act shall be paid from the Annuity Savings Fund. Upon the retirement of a member his accumulated deductions shall be transferred from the Annuity Savings Fund to the Annuity Reserve Fund.

Annuity Reserve Fund.

(2) The Annuity Reserve Fund shall be the fund from which shall be paid all annuities and all benefits in lieu of annuities, payable as provided in this act. Should a beneficiary, retired on account of disability, be restored to active service with a compensation not less than his regular compensation at the time of his last retirement, his annuity reserve shall be transferred from the Annuity Reserve Fund to the Annuity Savings Fund, and credited to his individual account therein. Annuity Reserve Fund.

Pension Accumulation Fund.

(3) (*a*) The Pension Accumulation Fund shall be the fund into which shall be accumulated all reserves for the payment of all pensions and other benefits payable from contributions made by the city, and from which shall be paid all pensions Pension Accumulation Fund.

and other benefits on account of members with prior service credit. Contributions to and payments from the Pension Accumulation Fund shall be made as follows: —

Pension Accumulation Fund.

(*b*) On account of each member there shall be paid annually into the Pension Accumulation Fund by the said city, for the preceding fiscal year, a certain percentage of the regular compensation of each member, to be known as the "normal contribution", and an additional percentage of his regular compensation to be known as the "accrued liability contribution". The rates per centum of such contributions shall be fixed on the basis of the liabilities of the retirement system as shown by actuarial valuation. Until the first valuation the normal contribution shall be one and eighty-nine hundredths per centum, and the accrued liability contribution shall be two and fifty-four hundredths per centum, of the regular annual compensation of all members.

(*c*) On the basis of regular interest and of such mortality and other tables as shall be adopted by the retirement board, the actuary engaged by the board to make each valuation required by this act during the period over which the accrued liability contribution is payable, immediately after making such valuation, shall determine the uniform and constant percentage of the regular compensation of the average new entrant, which if contributed on the basis of compensation of such new entrant throughout his entire period of active service is computed to be sufficient to provide for the payment of any pension payable on his account. The rate per centum so determined shall be known as the "normal contribution" rate. After the accrued liability contribution has ceased to be payable, the normal contribution rate shall be the rate per centum of the regular compensation of all members obtained by deducting from the total liabilities of the Pension Accumulation Fund the amount of the funds in hand to the credit of that fund and dividing the remainder by one per centum of the present value of the prospective future salaries of all members as computed on the basis of the mortality and service tables adopted by the retirement board and regular interest. The normal rate of contribution shall be determined by the actuary after each valuation.

(*d*) Immediately succeeding the first valuation, the actuary engaged by the retirement board shall compute the rate per centum of the total regular compensation of all members which is equivalent to four per centum of the amount of the total pension liability on account of all members and beneficiaries which is not dischargeable by the aforesaid normal contribution made on account of such members during the remainder of their active service. The rate per centum originally so determined shall be known as the "accrued liability contribution rate".

(*e*) The total amount payable in each year to the Pension Accumulation Fund shall be not less than the sum of the rates per centum known as the normal contribution rate

and the accrued liability contribution rate of the total compensation earnable by all members during the preceding year; provided, that the amount of each annual accrued liability contribution shall be at least three per centum greater than the preceding annual accrued liability payment, and that the aggregate payments of the city shall be sufficient when combined with the amount in the fund to provide the pensions and other benefits payable out of the fund during the year then current.

Pension Accumulation Fund.

(*f*) The accrued liability contribution shall be discontinued as soon as the accumulated reserve in the Pension Accumulation Fund shall equal the present value, as actuarially computed and approved by the retirement board, of the total liability of such fund less the present value, computed on the basis of the normal contribution rate then in force, of the prospective normal contributions to be received on account of persons who are at that time members.

(*g*) All pensions, and benefits in lieu thereof, with the exception of those payable on account of members who receive no prior service allowance, payable from contributions of the city, shall be paid from the Pension Accumulation Fund.

(*h*) Upon the retirement of a member not entitled to credit for prior service, an amount equal to his pension reserve shall be transferred from the Pension Accumulation Fund to the Pension Reserve Fund.

Pension Reserve Fund.

Pension Reserve Fund.

(4) The Pension Reserve Fund shall be the fund from which shall be paid the pensions to members not entitled to credit for prior service and benefits in lieu thereof. Should such a beneficiary, retired on account of disability, be restored to active service with a compensation not less than his average regular compensation for the year preceding his last retirement, the pension reserve thereon shall be transferred from the Pension Reserve Fund to the Pension Accumulation Fund. Should the pension of a disability beneficiary be reduced as a result of an increase in his earning capacity, the amount of the annual reduction in his pension shall be paid annually into the Pension Accumulation Fund during the period of such reduction.

Expense Fund.

Expense Fund.

(5) The Expense Fund shall be the fund to which shall be credited all money appropriated by the city to pay the administration expenses of the retirement system, and from which shall be paid all the expenses necessary in connection with the administration and operation of the system.

Appropriations.

Appropriations.

(6) (*a*) On or before the first day of December in each year the retirement board shall certify to the mayor the amount of the appropriation necessary to pay to the various

funds of the retirement system the amounts payable by the city as enumerated in this act for the year beginning on the first day of January of the succeeding year, and items of appropriation, providing such amounts shall be included in the budget.

(*b*) To cover the requirements of the system for the period prior to the date when the first regular appropriation is due, as provided by paragraph (*a*) of this subsection, such amounts as shall be necessary to cover the needs of the system shall be paid into the Pension Accumulation Fund and the Expense Fund by special appropriations to the system.

MANAGEMENT OF FUNDS.

Management of funds of retirement system.

SECTION 16. (1) The retirement board may invest the funds of the retirement system in such securities as are approved from time to time by the commissioner of insurance for the investment of the funds of life insurance companies under the laws of the commonwealth.

(2) The retirement board shall annually allow regular interest on the average balance for the preceding year to the credit of the various funds from the interest and dividends earned from investments. Any excess earnings over the amount so credited shall be used for reducing the amount of contributions required of the city during the ensuing year. Any deficiency shall be paid by the city during the ensuing year.

(3) The treasurer of the city shall be custodian of the several funds. All payments from said funds shall be made by him only upon vouchers signed by two persons designated by the retirement board. A duly attested copy of a resolution of the retirement board designating such persons and bearing upon its face specimen signatures of such persons shall be filed with the treasurer as his authority for making payments upon such vouchers. No voucher shall be drawn unless it shall have been previously authorized by resolution of the retirement board.

(4) For the purpose of meeting disbursements for pensions, annuities and other payments an amount of money, not exceeding ten per centum of the total amount in the several funds of the retirement system, may be kept on deposit in one or more banks or trust companies organized under the laws of the commonwealth or of the United States; provided, that the sum on deposit in any one bank or trust company shall not exceed ten per centum of the paid-up capital and surplus thereof.

(5) The retirement board may, in its discretion, transfer to or from the Pension Accumulation Fund the amount of any surplus or deficit which may develop in the reserves creditable to the Annuity Reserve Fund or the Pension Reserve Fund, as shown by actuarial valuation.

(6) Except as otherwise provided herein, no member and no employee of the retirement board shall have any direct interest in the gains or profits of any investment made by the

retirement board, nor as such receive any pay or emolument for his services. No member or employee of the board shall, directly or indirectly, for himself or as an agent, in any manner use any of the securities or other assets of the retirement board, except to make such current and necessary payments as are authorized by the retirement board; nor shall any member or employee of the retirement board become an endorser or surety or in any manner an obligor for moneys loaned by or borrowed from the retirement system.

(7) Each member of the retirement board, and the treasurer of the city in his capacity as custodian of the several funds, shall severally give bond for the faithful performance of his duties in a sum and with sureties or surety approved by the city council.

EXEMPTION OF FUNDS FROM TAXATION AND EXECUTION.

Exemption of funds from taxation and execution.

Section 17. The pensions, annuities and retirement allowances and the accumulated deductions and the cash and securities in the funds created by this act are hereby exempted from any state, county or municipal tax of this commonwealth, and shall not be subject to execution or attachment by trustee process or otherwise, in law or in equity, or under any other process whatsoever, and shall be non-assignable except as specifically provided in this act.

RECEIPT OF BOTH RETIREMENT ALLOWANCE AND SALARY FORBIDDEN.

Beneficiaries not to be paid for services to city, except, etc.

Section 18. No beneficiary of the retirement system shall be paid for any service, except service as a juror and such service as he may be called upon to perform in the police or fire department in a time of public emergency, rendered by him to the city after the date of the first payment of any retirement allowance hereunder, except as provided in section nine of this act, and except as further provided in this section.

May be employed for periods not exceeding one year at a time, etc.

Proviso.

Notwithstanding the above provision, a beneficiary may be employed, for periods of not exceeding one year at a time, with the approval of the mayor and city council, and may receive compensation from the city for the services so rendered; provided, that the annual rate of compensation paid, together with the retirement allowance received, shall not exceed the regular compensation of the said beneficiary at the time of retirement.

RIGHT OF APPEAL.

Jurisdiction of supreme judicial court.

Section 19. The supreme judicial court shall have jurisdiction in equity upon the petition of the retirement board or any interested party or upon the petition of not less than ten taxable inhabitants of the city to compel the observance and restrain any violation of this act and the rules and regulations authorized or established thereunder.

TENURE UNAFFECTED.

Certain rights as to demotion, transfer, etc., of employees not affected.

SECTION 20. Nothing contained in this act shall affect the right or power of the city or other duly constituted authority in regard to demotion, transfer, suspension or discharge of any employee.

INCONSISTENT ACTS.

Inconsistent acts applicable only to employees entitled to benefits thereof on effective date of act.

SECTION 21. Any of the provisions of sections forty-four, forty-five, seventy-seven, eighty and eighty-three of chapter thirty-two of the General Laws, as amended, which may be inconsistent herewith, and any other acts or parts of acts inconsistent herewith, shall, on and after the effective date of this act, apply only to such employees of the city as are, on said effective date, entitled to the benefits thereof. Nothing herein contained shall be construed as affecting the provisions of sections forty-nine to sixty, inclusive, or of section ninety-two, of chapter thirty-two of the General Laws, as amended.

Question of approval to be voted upon by city council, etc.

Submission to voters, etc.

SECTION 22. On or before September first in the current year, the question of the approval of the provisions of this act shall be finally voted upon by the city council of the city of Cambridge, and, whether or not said provisions are approved by such vote, they shall be submitted for acceptance to the qualified voters of said city at the biennial municipal election to be held in the current year, in the form of the following question, which shall be printed upon the official ballot to be used in said city at said election: — "Shall an act passed by the General Court in the year nineteen hundred and thirty-one, entitled 'An Act providing retirement allowances based on annuity and pension contributions for employees of the city of Cambridge,' be accepted?" If a majority of the voters voting thereon vote in the affirmative in answer to said question this act shall thereupon take full effect; otherwise it shall not take effect.

Approved June 10, 1931.

Chap. 454 AN ACT RELATIVE TO CERTAIN HIGHWAY AND OTHER IMPROVEMENTS IN CERTAIN CITIES AND TOWNS WITHIN THE METROPOLITAN PARKS DISTRICT.

Be it enacted, etc., as follows:

1930, 420, § 1, amended.

SECTION 1. Section one of chapter four hundred and twenty of the acts of nineteen hundred and thirty is hereby amended by inserting before the word "Dedham", the second time it occurs in the seventeenth line, the words: — Westwood and, — by striking out, in the nineteenth and twentieth lines, the words "in said last-mentioned town", — and by inserting after the word "Wellesley" in the twenty-seventh line the words: — or to Boylston street in the city of Newton or some point near the junction of said Boylston street with Chestnut street in said Newton, — so as to read

as follows: — *Section 1.* The department of public works, hereinafter called the department, is hereby directed to lay out and construct a state highway under the provisions of chapter eighty-one of the General Laws, except as otherwise provided in section twelve of this act, substantially in the following location: — Beginning at the intersection of Blue Hill street and Washington street in the town of Canton; thence over public and private lands and public and private ways, using portions of Royall street and Greenlodge street in said Canton; thence along or near said Greenlodge street and over public and private lands and public and private ways in the town of Westwood, crossing at other than grade the tracks of the Providence division of the New York, New Haven and Hartford railroad in said town, and crossing at other than grade the tracks of the Midland division and crossing the Islington branch of said railroad in said town and/or in the town of Dedham; thence in Westwood and Dedham over public and private lands and public and private ways, with suitable connections with High street and West street; thence passing along or near Greendale avenue and over public and private lands and public and private ways and crossing at other than grade the tracks of the Needham and Woonsocket branches of said railroad in the town of Needham; thence over public and private lands and public and private ways in the town of Wellesley, to Worcester street in the vicinity of its junction with Reservoir street in said Wellesley or to Boylston street in the city of Newton or some point near the junction of said Boylston street with Chestnut street in said Newton.

Department of public works to lay out and construct a state highway through certain portions of Canton, Westwood, Dedham, Needham, Wellesley and Newton.

Section 2. Said chapter four hundred and twenty is hereby amended by striking out section two and inserting in place thereof the following: — *Section 2.* Said department is hereby further directed to lay out and construct a highway in the city of Boston, beginning at a point on Blue Hill avenue at its intersection with Canterbury street; thence over public and private lands and public and private ways, including portions of said Canterbury street, to a point on Cummins highway, so called, easterly of the intersection of said Cummins highway with Hyde Park avenue. Said department shall make surveys and prepare plans for the continuation of said highway in a southerly direction to connect with the proposed highway provided in section three, at a point near the Milton-Boston boundary line, together with a connection from said extension in a generally westerly direction to the intersection of Washington street and the West Roxbury parkway.

1930, 420, § 2, amended.

To lay out and construct a highway in city of Boston beginning at a point on Blue Hill avenue at its intersection with Canterbury street, etc.

Section 3. Section seven of said chapter four hundred and twenty is hereby amended by striking out, in the sixteenth line, the word "four" and inserting in place thereof the word: — eight, — and by striking out, in the twenty-second line, the word "seven" and inserting in place thereof the words: — one million two, — so as to read as follows: —

1930, 420, § 7, amended.

What shall be deemed to be the cost of the work.

Section 7. The cost of laying out, constructing and/or improving said proposed highways and boulevards or parkways, and of laying out and constructing said proposed overpass or underpass, or of land takings for the same, including any damages awarded or paid on account of any taking of land or property therefor, or any injury to the same, and any sums paid for lands or rights purchased, including also the interest on any money borrowed by the state treasurer on the credit of the commonwealth under section thirteen, and all other expenses incurred in carrying out the provisions of sections one to five, inclusive, shall be deemed to be the cost of the work therein respectively authorized; provided, that such cost shall not exceed, in the aggregate, the following amounts:

Proviso.

For the highway authorized by section one, the sum of one million eight hundred thousand dollars.

For the highway authorized by section two, the sum of seven hundred and fifty thousand dollars.

For the land taking authorized by section three, the sum of two hundred thousand dollars.

For the parkway or boulevard authorized by section four, the sum of one million two hundred thousand dollars.

For the overpass or underpass authorized by section five, the sum of one hundred and eighty thousand dollars.

1930, 420, § 10, amended.

SECTION 4. Section ten of said chapter four hundred and twenty is hereby further amended by striking out, in the fifth line, the words "and the balance" and inserting in place thereof the words: — not exceeding two hundred and fifty thousand dollars, — and by inserting after the word "thirty-one" in the sixth line, the words: —, and the balance from the highway fund of nineteen hundred and thirty-two, — so as to read as follows: — *Section 10.* Fifty per cent of the cost of the work authorized by section four shall be paid by the commonwealth from such appropriations as may hereafter be made, not exceeding one hundred thousand dollars being paid from the highway fund of nineteen hundred and thirty, not exceeding two hundred and fifty thousand dollars from the highway fund of nineteen hundred and thirty-one, and the balance from the highway fund of nineteen hundred and thirty-two. The remaining fifty per cent of the cost of such work shall be paid by the municipalities of the metropolitan parks district in proportion to the respective taxable valuations of the property of said municipalities as defined by section fifty-nine of chapter ninety-two of the General Laws, the payments being made in accordance with the provisions of section thirteen.

Cost of work authorized by section 4, by whom paid.

1930, 420, § 13, amended.

SECTION 5. Section thirteen of said chapter four hundred and twenty is hereby amended by striking out the second paragraph and inserting in place thereof the following: —

State treasurer to issue notes, etc.

The state treasurer shall, upon request of the department and subject to the approval of the governor and council, issue and sell at public or private sale temporary notes of the

commonwealth, to an amount to be specified from time to time by the department, sufficient to provide means for the payment in the first instance of that part of the cost of the work which is to be borne ultimately by said municipalities as members of the metropolitan parks district and otherwise. All such temporary notes shall be issued, and may be renewed, for such maximum term of years as the governor may recommend to the general court in accordance with section three of Article LXII of the amendments to the constitution of the commonwealth, and shall bear interest at such rate as shall be fixed by the state treasurer, with the approval of the governor and council. The total amount of all notes issued hereunder shall not exceed the sum of one million sixty-five thousand dollars.

1930, 420, § 4A, amended.

Section 6. Said chapter four hundred and twenty is hereby amended by striking out section four A and inserting in place thereof the following: — *Section 4A*. The abolition of any railroad crossing at grade or the alteration of any such crossing, under the provisions of this act, shall be in accordance with and subject to the applicable provisions of general law, and the department is hereby authorized to enter into an agreement with the New York, New Haven and Hartford Railroad to provide for the maintenance of any structures involved in such crossings of said railroad.

Abolition of railroad crossings at grade, etc., to be in accordance with applicable provisions of general law, etc.

Approved June 10, 1931.

An Act restoring a provision in the general laws relative to allowances for uniforms for certain officers. *Chap.* 455

Be it enacted, etc., as follows:

G. L. 221, § 80, etc., amended.

Section eighty of chapter two hundred and twenty-one of the General Laws, as amended by section forty-three of chapter three hundred and one of the acts of the current year, is hereby further amended by inserting after the word "county" the first time it occurs in the twelfth line the words: — and any other officer designated as deputy sheriff in attendance upon said court in said county, — so that the last sentence will read as follows: — Such uniforms for court officers aforesaid in attendance upon either court in Middlesex or Worcester county or upon the superior court in Suffolk county shall be furnished at the expense of their respective counties; and court officers paid under section seventy-three who are appointed to attend upon the supreme judicial court in Suffolk county and any other officer designated as deputy sheriff in attendance upon said court in said county shall each be annually allowed by said county one hundred dollars in addition to the salary allowed by law in order to provide such uniform.

Court officers to wear uniforms.

Approved June 10, 1931.

Chap. 456 AN ACT RELATIVE TO THE TAXATION OF ESTATES AND FIDUCIARIES IN RESPECT OF INCOME.

Be it enacted, etc., as follows:

G. L. 62, § 10, amended.

SECTION 1. Chapter sixty-two of the General Laws is hereby amended by striking out section ten and inserting in place thereof the following: — *Section 10.*

Income from trust estates taxable.

The income received by estates held in trust by trustees or other fiduciaries under the will of a person who died an inhabitant of the commonwealth or under a trust created by a person who was either at the time of the creation of the trust or at any time during the year for which the income is computed an inhabitant of the commonwealth, any one of which trustees or other fiduciaries is an inhabitant of the commonwealth or has derived his appointment from a court of the commonwealth, shall be subject to the taxes imposed by this chapter to the extent that the persons to whom the income from the trust is payable or for whose benefit it is accumulated are inhabitants of the commonwealth. Income so received and accumulated for unborn or unascertained persons or persons with uncertain interests shall be taxed as if accumulated for the benefit of a known inhabitant of the commonwealth to the following extent:

(1) Where all or any one of the trustees or other fiduciaries have derived their appointment from a court of the commonwealth or are required to account to a court of the commonwealth, the whole amount of income thus accumulated shall be taxed.

(2) Where all of the trustees or other fiduciaries are inhabitants of the commonwealth, the whole amount of income thus accumulated shall be taxed.

(3) Where any one or more of the trustees is an inhabitant of the commonwealth the proportion of the income accumulated for unborn or unascertained persons or persons with uncertain interests shall be taxed which is represented by the ratio of trustees who are inhabitants of the commonwealth to the total number of trustees. For the purposes of this section and of section nine income shall be deemed to be accumulated for unborn or unascertained persons or persons with uncertain interests when thus accumulated by estates, by trustees or other fiduciaries, who are subject to the provisions of this section or of section nine, for the benefit of any future interest other than a remainder presently vested in a person or persons in being not subject to be divested by the happening of any contingency expressly mentioned in the instrument creating the trust.

No person shall be taxed under this chapter for income received from any trustee or other fiduciary which income has itself been taxed under this section.

Deductions.

The trustees may deduct from the income taxable under section one a proper amount for the amortization, according to any approved method, of premiums paid upon bonds

owned by the estate, the income of which is taxable under said section one.

In the computation of the tax, the trustees, in addition to the deduction on account of interest paid, allowed under section two, shall be entitled to the following deductions from income taxable under section one, and under paragraphs (*a*) and (*c*) of section five, before the taxable income of the beneficiaries shall finally be determined:

(*a*) Such proportion of the following items as the amounts of income taxable under section one and subsections (*a*) and (*c*) of section five together bear to the total income received by the trustee from all sources, exclusive of income taxable under subsection (*b*) of section five; (1) amounts paid within the year for rental of safe deposit boxes; and (2) amounts paid within the year for premiums on surety bonds of the trustee.

(*b*) The compensation actually paid during the year to the trustees upon such income taxable under section one as is payable to or accumulated for inhabitants of the commonwealth, or for unborn or unascertained persons or persons with uncertain interests, to an amount not exceeding six per cent of such taxable income.

G. L. 62, § 11, amended.

Section 2. Said chapter sixty-two is hereby further amended by striking out section eleven and inserting in place thereof the following: — *Section 11.* Any inhabitant of the commonwealth who receives income from one or more trustees or other fiduciaries who are not subject to taxation under this chapter, shall be subject to the taxes imposed by this chapter upon such income according to the nature of the income received by such trustees or other fiduciaries, and shall include such income in a return as required by section twenty-two.

Income received by resident from certain trustees taxable.

G. L. 62, § 13, amended.

Section 3. Said chapter sixty-two is hereby further amended by striking out section thirteen and inserting in place thereof the following: — *Section 13.* Sections ten to twelve, inclusive, shall, so far as apt, apply to executors, administrators, guardians, conservators, trustees in bankruptcy, receivers and assignees for the benefit of creditors, to the income received by them and to their beneficiaries, except that clauses (*a*) and (*b*) of section ten authorizing certain deductions shall apply to trustees only. All such fiduciaries and their successors in office shall be personally liable for all taxes due under this chapter from them or from their predecessors in office to the value of all property in their hands as such fiduciaries at the time of distribution as provided in section twenty-five.

Provisions relative to trustees to apply to other fiduciaries, except, etc.

Liability of fiduciaries.

Application of act.

Section 4. This act shall apply to income received during the calendar year nineteen hundred and thirty-one and thereafter. *Approved June 10, 1931.*

Chap. 457 AN ACT CONFERRING JURISDICTION ON THE LAND COURT TO PROVIDE FOR THE CONFIRMATION WITHOUT REGISTRATION OF TITLES TO LAND AND INTERESTS THEREIN.

Be it enacted, etc., as follows:

G. L. 185, § 1, etc., amended.

SECTION 1. Section one of chapter one hundred and eighty-five of the General Laws, as amended by section one of chapter three hundred and eighty-seven of the acts of the current year, is hereby further amended by striking out paragraph (*a*) and inserting in place thereof the following: —

Land court, jurisdiction.

(*a*) Petitions for the confirmation and registration and petitions for the confirmation without registration of title to land and easements or rights in land held and possessed in fee simple within the commonwealth, with power to hear and determine all questions arising upon such petitions, and such other questions as may come before it under this chapter, subject to all rights to jury trial and of appeal provided by law. The proceedings upon such petitions shall be proceedings in rem against the land, and the decrees shall operate directly on the land and vest and establish title thereto. A certified copy of the decree of confirmation and registration shall be filed and registered in the registry district or districts where the land or any portion thereof lies, as provided in section forty-eight, and a certificate of title in the form prescribed by law shall be issued pursuant thereto. Immediately upon the entry of a decree of confirmation without registration, the recorder shall cause a certified copy of the same to be recorded in the registry of deeds for the district or districts where the land or any portion thereof lies, and thereafter the land therein described shall be dealt with as unregistered land.

G. L. 185, new section after § 26.

SECTION 2. Said chapter one hundred and eighty-five is hereby amended by inserting after section twenty-six the following new section: — *Section 26A.* Petitions for the confirmation of title without registration may be made by the following persons:

Petitions for confirmation of title without registration.

First, Persons who claim, singly or collectively, to own a legal estate or easement or right in land held and possessed in fee simple.

Second, Persons who claim, singly or collectively, to have the power of appointing or disposing of a legal estate or easement or right in land held and possessed in fee simple.

Third, Infants and other persons under disability, by their legally appointed guardians; but the person in whose behalf the petition is made shall be named as petitioner.

Fourth, Corporations, by any officer duly authorized by a vote of the corporation or its governing board.

G. L. 185, new section after § 56.

SECTION 3. Said chapter one hundred and eighty-five is hereby further amended by inserting after section fifty-six the following new section: — *Section 56A.* Petitions for the confirmation of title without registration and all proceedings thereunder shall be governed by the provisions of this chapter

Petitions for confirmation of title without registration, etc., to be

applicable to petitions and proceedings for the confirmation and registration of title except as otherwise provided in this chapter. Upon the recording in the registry of deeds for the district where the land, or any portion thereof, lies, of a copy of the decree issued pursuant to such petition for confirmation of title without registration, the owner of such land, as determined by such decree, shall hold the title thereto free from all encumbrances except those set forth or referred to in said decree and those specified in section forty-six. Nothing contained in this chapter shall be so construed as to prevent the registration of title to land or easements or rights under the provisions thereof on proceedings commenced either prior or subsequent to a decree confirming title without registration. Section ninety-nine shall not apply to proceedings for confirmation of title without registration.

governed by certain provisions of chapter, etc.

Chapter, how construed.

Section 4. This act shall take effect on January first, nineteen hundred and thirty-two.

Effective date.

Approved June 10, 1931.

An Act relative to the indemnification or protection of officers and employees of the commonwealth, the several counties and the cities and towns for damages sustained on account of the operation of publicly owned motor vehicles. *Chap.* 458

Be it enacted, etc., as follows:

Section 1. Chapter twelve of the General Laws is hereby amended by inserting after section three A, inserted by chapter three hundred and ninety-five of the acts of nineteen hundred and twenty-four, the following new section: — *Section 3B.* Upon the filing with the attorney general of a written request of any officer or employee of the commonwealth or of the metropolitan district commission that the attorney general defend him against an action for damages for bodily injuries, including death at any time resulting therefrom, arising out of the operation of a motor vehicle owned by the commonwealth, including one under the control of said commission, wherein such officer or employee consents to be bound by any decision that the attorney general may make in connection with the trial or settlement of such action, the attorney general shall, if after investigation it appears to him that such officer or employee was at the time the cause of action arose acting within the scope of his official duties or employment, take over the management and defence of such action. The attorney general may adjust or settle any such action, at any time before, during or after trial, if he finds after investigation that the plaintiff is entitled to damages from such officer or employee, and in such case there shall be paid from the state treasury for settlement in full of such action from such appropriation as may be made by the general court for the purposes of this section such sum, not exceeding five thousand dollars, as

G. L. 12, new section after § 3A.

Attorney general to take over defence of action for damages sustained on account of operation of motor vehicles owned by state or the metropolitan district commission, when.

Settlement, if, etc.

the attorney general shall determine to be just and reasonable and as the governor and council shall approve.

Payment from state treasury of amount of execution, if, etc.

If an execution issued on a final judgment in such an action is presented to the state treasurer by an officer qualified to serve civil process and if there is also presented to or on file with said state treasurer a certificate of the attorney general certifying that said execution was issued on a judgment in an action in which he appeared for and defended the defendant in accordance with the provisions of this section, there shall be paid from the state treasury from the appropriation above referred to, the amount of the execution, including costs and interest, up to but not in excess of five thousand dollars.

G. L. 35, § 28, etc., amended.

SECTION 2. Chapter thirty-five of the General Laws, as most recently amended in section twenty-eight by chapter fifty-eight of the acts of nineteen hundred and twenty-six, is hereby further amended by striking out said section twenty-eight and inserting in place thereof the following: — *Section 28.*

Estimates of county receipts and expenditures, preparation, form, etc.

The county commissioners shall annually prepare estimates of county receipts and expenditures for the ensuing year, in the form prescribed by the director of accounts and upon blanks by him furnished, including estimates for construction and repair of county buildings and for effecting insurance providing indemnity for or protection to the officers and employees of the county against loss by reason of their liability to pay damages to others for bodily injuries, including death at any time resulting therefrom, caused by the operation, within the scope of their official duties or employment, of motor vehicles owned by the county, to an amount not exceeding five thousand dollars on account of injury to or death of one person, or for providing indemnity or protection as aforesaid without insurance, with a statement of the corresponding appropriations for the preceding year, and expenditures for each of the three preceding years, explaining any difference between the amount of an estimate and the latest appropriation for the same purpose, and citing the laws relating thereto.

Recording.

Copy to director of accounts, etc.

Report to general court.

The clerk of the commissioners shall record the foregoing in a book kept therefor, and, on or before January twentieth, shall send a copy thereof, by him attested and signed by the chairman, to the said director, who shall analyze and classify said estimates, and report the same to the general court not later than February tenth.

Copies of report to mayors and selectmen.

The director shall upon their request send a copy of said report to the mayor of each city and to the selectmen of each town in the commonwealth.

G. L. 40, § 5, etc., amended.

SECTION 3. Section five of chapter forty of the General Laws, as amended, is hereby further amended by striking out clause (1) and inserting in place thereof the following: —

Municipal appropriations to pay insurance companies acting as sureties, or to effect certain

(1) To pay a proper charge of an insurance company for acting as surety on the official bond of any town officer, or to pay a proper charge for effecting insurance providing indemnity for or protection to any officer or employee of

the town against loss by reason of his liability to pay damages to others for bodily injuries, including death at any time resulting therefrom, caused by the operation, within the scope of his official duties or employment, of motor vehicles owned by the town, to an amount not exceeding five thousand dollars on account of injury to or death of one person. insurance for municipal officers or employees, etc.

Section 4. Chapter forty-one of the General Laws is hereby amended by inserting after section one hundred the following new section: — *Section 100A*. A city which accepts this section by vote of its city council subject to the provisions of its charter, or a town which accepts the same by vote of its inhabitants at an annual town meeting, may, after an appropriation has been made therefor, indemnify an officer or employee thereof for expenses or damages incurred by him in the defence or settlement of a claim against him for bodily injuries, including death at any time resulting therefrom, arising out of the operation of a motor vehicle owned by such city or town, to an amount not exceeding five thousand dollars; provided, that after investigation it shall appear to the mayor or selectmen that such officer or employee was at the time the claim arose acting within the scope of his official duties or employment, and provided, further, that the defence or settlement of such claim shall have been made by the city solicitor or the town counsel, or, if the town has no town counsel, by an attorney employed for the purpose by the selectmen, upon the request of said officer or employee and at the direction of the mayor or selectmen. This section shall not apply in respect to a claim against an officer or employee which is covered by a policy of insurance effected by the city or town under clause (1) of section five of chapter forty. G. L. 41, new section after § 100. Indemnification of officers or employees of cities or towns for expenses or damages incurred in defence or settlement of claim on account of operation of motor vehicle owned by city or town. Provisos. Not applicable to certain claims.

Section 5. Section four of chapter two hundred and sixty of the General Laws, as most recently amended by section one of chapter twenty-nine of the acts of nineteen hundred and twenty-nine, is hereby further amended by inserting after the word "ninety" in the twelfth line the following: — and also such actions against officers and employees of the commonwealth, of the metropolitan district commission, and of any county, city or town, arising out of the operation of motor vehicles owned by the commonwealth, including those under the control of said commission, or by any such county, city or town, — so as to read as follows: — *Section 4*. Actions for assault and battery, false imprisonment, slander, actions against sheriffs, deputy sheriffs, constables or assignees in insolvency for the taking or conversion of personal property, actions of tort for injuries to the person against counties, cities and towns, and actions of contract or tort for malpractice, error or mistake against physicians, surgeons, dentists, optometrists, hospitals and sanitaria, shall be commenced only within two years next after the cause of action accrues; and actions for libel and actions of tort for bodily G. L. 260, § 4, etc., amended. Limitation of certain actions.

injuries or for death the payment of judgments in which is required to be secured by chapter ninety and also such actions against officers and employees of the commonwealth, of the metropolitan district commission, and of any county, city or town, arising out of the operation of motor vehicles owned by the commonwealth, including those under the control of said commission, or by any such county, city or town, suits by judgment creditors in such actions of tort under section one hundred and thirteen of chapter one hundred and seventy-five and clause (10) of section three of chapter two hundred and fourteen and suits on motor vehicle liability bonds under section thirty-four G of said chapter ninety shall be commenced only within one year next after the cause of action accrues.

Application of act.

Section 6. This act shall apply only to causes of action arising after its effective date. *Approved June 10, 1931.*

Chap. 459 An Act giving preference to certain former employees in the labor service of the city of Cambridge for re-employment therein.

Be it enacted, etc., as follows:

Preference to be given certain former employees in labor service of city of Cambridge for re-employment therein.

Section 1. Maurice J. O'Connor, Oscar J. McLean, Stephen C. Harrigan, Francis T. Gurry, John F. Grady, Daniel F. Short, Timothy Scully and Frederick J. Wild, former employees in the labor service of the city of Cambridge, who were removed therefrom in the year nineteen hundred and twenty-eight by order of the division of civil service, by reason of the fact that certain classification requirements under the civil service law were not complied with, shall, if duly registered as applicants for employment in the labor service of said city, be given preference for re-employment therein.

Section 2. This act shall take effect upon its passage. *Approved June 10, 1931.*

Chap. 460 An Act in addition to the general appropriation act making appropriations to supplement certain items contained therein, and for certain new activities and projects.

Be it enacted, etc., as follows:

Appropriations to supplement certain items contained in general appropriation act, and for certain new activities and projects.

Section 1. To provide for supplementing certain items in the general appropriation act, and for certain new activities and projects, the sums set forth in section two, for the particular purposes and subject to the conditions stated therein, are hereby appropriated from the general fund or ordinary revenue of the commonwealth, unless some other source of revenue is expressed, subject to the provisions of law regu-

lating the disbursement of public funds and the approval thereof.

SECTION 2.

Service of the Legislative Department.

Item			
11	For the compensation for travel of doorkeepers, assistant doorkeepers, general court officers, pages and other employees of the sergeant-at-arms, authorized by law to receive the same, a sum not exceeding one hundred thirteen dollars and fifty cents, the same to be in addition to any amount heretofore appropriated for the purpose	$113 50	Legislative Department. Employees of sergeant-at-arms.
19	For personal services of the counsel to the house of representatives and assistants, a sum not exceeding thirty-five hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose	3,500 00	Counsel to the house of representatives, etc.
22	For authorized traveling and other expenses of the committees of the present general court, with the approval of a majority of the committee incurring the same, a sum not exceeding twelve hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose	1,200 00	Traveling, etc., expenses of committees of general court.
24	For printing, binding and paper ordered by the senate and house of representatives, or by concurrent order of the two branches, with the approval of the clerks of the respective branches, a sum not exceeding seven thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose	7,000 00	Printing, binding and paper.
25	For printing the manual of the general court, with the approval of the clerks of the two branches, a sum not exceeding two hundred ten dollars and seventy-two cents, the same to be in addition to any amount heretofore appropriated for the purpose	210 72	Manual of the general court.
26	For expenses in connection with the publication of the bulletin of committee hearings and of the daily list, and for the expense of printing a cumulative index to the acts and resolves of the current year, with the approval of the joint committee on rules, a sum not exceeding thirty-five hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose	3,500 00	Bulletin of committee hearings, etc.
36a	For expenses of printing the proceedings of the tercentenary observance of the general court, as authorized by chapter nine of the resolves of the present year, a sum not exceeding thirty-one hundred dollars	3,100 00	Proceedings of tercentenary observance of general court.
	Total	$18,624 22	

Service of the Judicial Department.

Superior Court:

51a	For expenses of printing the rules of the superior court, as authorized by chapter three hundred and sixty-three of the acts of the present year, a sum not exceeding seventy-five hundred dollars	$7,500 00	Judicial Department. Superior Court.

Justices of District Courts:

53	For compensation of justices of district courts while sitting in the superior court, a sum not exceeding one thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose	1,000 00	Justices of district courts sitting in superior court.

	Item		
		Probate and Insolvency Courts, as follows:	
Probate and Insolvency Courts.	62	For expenses of judges of probate when acting outside their own counties for other judges of probate, as authorized by section forty of chapter two hundred and seventeen of the General Laws, as amended by chapter three hundred and eighty-four of the acts of nineteen hundred and twenty-three and by chapter three hundred and seventy-six of the acts of nineteen hundred and twenty-four, a sum not exceeding two hundred and fifty dollars, the same to be in addition to any amount heretofore appropriated for the purpose	$250 00
		Total	$8,750 00
		Service of the Executive Department.	
Executive Department.	100	For postage, printing, office and other contingent expenses, including travel of the governor, a sum not exceeding seven thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose	$7,000 00
	105	For certain maintenance expenses of the governor's automobile, a sum not exceeding one thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose	1,000 00
	106a	For expenses of a commission appointed by the governor to co-operate with the United States Geographic Board in the preparation of an official gazetteer of the United States, a sum not exceeding five hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose	500 00
		Total	$8,500 00
		Service of the Adjutant General.	
Adjutant General.	110	For expenses of the national guard convention and for expenses not otherwise provided for in connection with military matters and accounts, a sum not exceeding twenty-five hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose . . .	$2,500 00
		Service of the Militia.	
Militia.	112	For certain allowances for national guard officers, as authorized by paragraph (d) of section one hundred and forty-five of chapter thirty-three of the General Laws, inserted therein by section one of chapter three hundred and seventy-three of the acts of nineteen hundred and twenty-six, as amended, a sum not exceeding two hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose . .	$200 00
	117a	For certain expenses incurred on account of the funeral of Major General Clarence R. Edwards, a sum not exceeding forty-six hundred sixty-two dollars and seventy-three cents . . .	4,662 73
	124	To cover certain small claims for damages to private property arising from military maneuvers, a sum not exceeding four hundred and fifty dollars, the same to be in addition to any amount heretofore appropriated for the purpose . .	450 00

Item			
127	For instruction in military authority, organization and administration, and in the elements of military art, a sum not exceeding two thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose . .	$2,000 00	
127a	For expenses of operation of the Twenty-Sixth Division, a sum not exceeding eighteen hundred dollars	1,800 00	
	Total	$9,112 73	
	Service of the State Quartermaster.		
130	For personal services of the state quartermaster, superintendent of armories, superintendent of arsenal and certain other employees of the state quartermaster, a sum not exceeding twenty-seven hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose	$2,700 00	State Quartermaster.
137	For the maintenance of armories of the first class, including the purchase of certain furniture, a sum not exceeding two thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose	2,000 00	
140	For the rental of stables, including water and certain other incidental services, for the housing of horses and mules, a sum not exceeding two hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose	200 00	
	Total	$4,900 00	
	Service of the Commission on Administration and Finance.		
149	For other expenses incidental to the duties of the commission, a sum not exceeding nine thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose . .	$9,000 00	Commission on Administration and Finance.
149a	For the cost of advertising for sale two parcels of land in the city of Worcester, one formerly used for state normal school purposes and the other formerly used for military purposes, a sum not exceeding three hundred dollars . . .	300 00	
	Total	$9,300 00	
	Service of the Commissioner of State Aid and Pensions.		
155	For personal services of agents, clerks, stenographers and other assistants, a sum not exceeding fifteen hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose and to provide for the expense authorized by chapter three hundred and twenty-four of the acts of the present year . . .	$1,500 00	Commissioner of State Aid and Pensions.
	For Expenses on Account of Wars.		
159	For expenses of printing certain volumes of the records of Massachusetts soldiers in the civil war, a sum not exceeding ten thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose . . .	$10,000 00	Expenses on Account of Wars.
159a	For expenses of a certain tablet, as authorized by chapter eleven of the resolves of the present year, a sum not exceeding eight hundred dollars	800 00	
	Total	$10,800 00	

Service of the Superintendent of Buildings.

	Item		
Superintendent of Buildings.	172	For other personal services incidental to the care and maintenance of the state house, a sum not exceeding one thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose	$1,000 00
	176	For services, supplies and equipment necessary to furnish heat, light and power, a sum not exceeding twelve hundred and fifty dollars, the same to be in addition to any amount heretofore appropriated for the purpose	1,250 00
	177	For other services, supplies and equipment necessary for the maintenance and care of the state house and grounds, including repairs of furniture and equipment, a sum not exceeding thirty-five hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose	3,500 00
		Total	$5,750 00

Service of Certain Special Commissions.

George Washington Bicentennial Commission.	179a	For expenses of the George Washington Bicentennial Commission, as authorized by chapter twenty-eight of the resolves of the present year, a sum not exceeding ten thousand dollars .	$10,000 00
Investigation as to stabilization of employment.	179b	For expenses of the special commission to study and investigate relative to the stabilization of employment, as authorized by chapter sixty-four of the resolves of the present year, a sum not exceeding thirty-five thousand dollars .	35,000 00
		Total	$45,000 00

Service of the Secretary of the Commonwealth.

Secretary of the Commonwealth.	182	For services other than personal, traveling expenses, office supplies and equipment, for the arrangement and preservation of state records and papers, and for advertising the purposes of sections twenty-eight A, B, C and D of chapter six of the General Laws, inserted by section two of chapter three hundred and eighty-three of the acts of nineteen hundred and twenty-eight, a sum not exceeding six hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose	$600 00
		For matters relating to elections:	
Elections.	199	For furnishing cities and towns with ballot boxes, and for repairs to the same; for the purchase of apparatus to be used at polling places in the canvass and counting of votes; and for providing certain registration facilities, a sum not exceeding one thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose	1,000 00
Printing report of The American Legion convention.	200a	For expenses of printing the report of The American Legion convention, a sum not exceeding seven hundred and fifty dollars	750 00
Printing laws relative to veterans.	200b	For expenses of printing the laws relative to veterans, as authorized by chapter sixteen of the resolves of the present year, a sum not exceeding six hundred and fifty dollars . . .	650 00
		Total	$3,000 00

Service of the Treasurer and Receiver-General.

Item			
203	For services other than personal, traveling expenses, office supplies and equipment, a sum not exceeding two thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose	$2,000 00	Treasurer and Receiver-General.
	Payments to Soldiers:		
206	For expenses of administering certain laws relating to payments in recognition of military service in the world war, a sum not exceeding four hundred dollars, to be paid from the receipts from taxes levied under authority of chapters two hundred and eighty-three and three hundred and forty-two of the General Acts of nineteen hundred and nineteen, and to be in addition to any amount heretofore appropriated for the purpose . .	400 00	Payments to Soldiers.
207	For making payments to soldiers in recognition of service during the world war, as provided by law, a sum not exceeding three thousand dollars, to be paid from receipts from taxes levied as specified in item two hundred and six, and to be in addition to any amount heretofore appropriated for the purpose	3,000 00	
	Total	$5,400 00	

Interest on the Public Debt.

215	For the payment of interest on the direct debt of the commonwealth, a sum not exceeding twenty-five thousand dollars, of which sum fifteen thousand dollars shall be paid from the Highway Fund, the same to be in addition to any amount heretofore appropriated for the purpose . .	$25,000 00	Interest on Public Debt.

Service of the Attorney General's Department.

222a	For expenses of advertising unclaimed savings bank deposits, a sum not exceeding ten thousand dollars	$10,000 00	Attorney General.

Service of the Department of Agriculture.

243a	For expenses of printing a collection of illustrations appearing in certain bird books, as authorized by chapter twenty-three of the resolves of the present year, a sum not exceeding fourteen thousand five hundred dollars	$14,500 00	Department of Agriculture.

Service of the Department of Conservation.

	Division of Parks:		
257a	For expenses of the director of the division of parks, as authorized by chapter three hundred and ninety-one of the acts of the present year, a sum not exceeding twenty-three hundred and fifty dollars	$2,350 00	Department of Conservation. Division of Parks.
	Division of Fisheries and Game:		
260	For personal services of office assistants, a sum not exceeding three hundred and fifty dollars, the same to be in addition to any amount heretofore appropriated for the purpose	350 00	Division of Fisheries and Game.
267a	For expenses of improvement of certain fishways, a sum not exceeding two hundred dollars . .	200 00	
269a	For expenses of providing for the establishment of public fishing and hunting grounds, a sum not exceeding twenty-five thousand dollars .	25,000 00	

	Item		
		Division of Animal Industry:	
Division of Animal Industry.	279	For personal services of clerks and stenographers, a sum not exceeding eight hundred and fifty dollars, the same to be in addition to any amount heretofore appropriated for the purpose . .	$850 00
	281	For personal services of veterinarians and agents engaged in the work of extermination of contagious diseases among domestic animals, a sum not exceeding six thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose	6,000 00
	282	For traveling expenses of veterinarians and agents, including the cost of any motor vehicles purchased for their use, a sum not exceeding eight hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose	800 00
		Total	$35,550 00
		Service of the Department of Banking and Insurance.	
		Supervisor of Loan Agencies:	
Department of Banking and Insurance. Supervisor of Loan Agencies.	290	For services other than personal, printing the annual report, office supplies and equipment, a sum not exceeding four hundred and ninety dollars, the same to be in addition to any amount heretofore appropriated for the purpose . .	$490 00
		Service of the Department of Corporations and Taxation.	
		Corporation and Tax Divisions:	
Department of Corporations and Taxation. Corporation and Tax Divisions.	300	For the salaries of certain positions filled by the commissioner, with the approval of the governor and council, and for additional clerical and other assistance, a sum not exceeding fifteen hundred dollars, to be charged to the Highway Fund to cover the estimated cost of collection of the gasoline tax, so-called, and to be in addition to any amount heretofore appropriated for the purpose	$1,500 00
	301	For traveling expenses, a sum not exceeding one thousand dollars, to be charged to the Highway Fund to cover the estimated cost of collection of the gasoline tax, so-called, and to be in addition to any amount heretofore appropriated for the purpose	1,000 00
		Total	$2,500 00
		Service of the Department of Education.	
Department of Education.	325	For the education of deaf and blind pupils of the commonwealth, as provided by section twenty-six of chapter sixty-nine of the General Laws, a sum not exceeding five thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose . . .	$5,000 00
		Division of the Blind:	
Division of the Blind.	345	For aiding the adult blind, subject to the conditions provided by law, a sum not exceeding five thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose .	5,000 00

Item			
	Bridgewater Normal School:		
G	For cleaning and improving an auxiliary source of water supply at the Bridgewater normal school, a sum not exceeding fifteen hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose	$1,500 00	Bridgewater Normal School.
	Salem Normal School:		
369	For the maintenance of the Salem normal school, a sum not exceeding thirty-five hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose . . .	3,500 00	Salem Normal School.
	Total	$15,000 00	
	Service of the Department of Civil Service and Registration.		
	Division of Civil Service:		
385	For other personal services of the division, a sum not exceeding thirty-three hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose . . .	$3,300 00	Department of Civil Service and Registration. Division of Civil Service.
	Board of Dental Examiners:		
395	For travel and other expenses necessary in providing for the enforcement of law relative to the registration of dentists, a sum not exceeding one thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose	1,000 00	Board of Dental Examiners.
	Total	$4,300 00	
	Service of the Department of Industrial Accidents.		
413	For personal services of secretaries, medical adviser, inspectors, clerks and office assistants, a sum not exceeding twenty-five hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose . . .	$2,500 00	Department of Industrial Accidents.
	Service of the Department of Labor and Industries.		
423	For clerical and other assistance for the board of conciliation and arbitration, a sum not exceeding five thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose	$5,000 00	Department of Labor and Industries.
431	For other services, printing, traveling expenses and office supplies and equipment for the board of conciliation and arbitration, a sum not exceeding fifteen hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose	1,500 00	
	Total	$6,500 00	
	Service of the Department of Mental Diseases.		
437	For personal services of officers and employees, a sum not exceeding fifteen hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose . . .	$1,500 00	Department of Mental Diseases.

	Item		
Institutions under control of Department of Mental Diseases.		For the maintenance of and for certain improvements at the following institutions under the control of the Department of Mental Diseases:	
Boston state hospital.	446a	For furnishings and screens for windows of certain employees' buildings at the Boston state hospital, a sum not exceeding five thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose . . .	$5,000 00
Danvers state hospital.	448a	For the purchase of certain land for the Danvers state hospital, a sum not exceeding one hundred and fifty dollars	150 00
Belchertown state school.	477g	For furnishings and equipment for certain buildings at the Belchertown state school, a sum not exceeding thirteen thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose	13,000 00
School for feeble-minded.	482O	For the purchase of land for the new school for feeble-minded, a sum not exceeding seventy-five thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose	75,000 00
		Total	$94,650 00

Service of the Department of Correction.

Institutions under control of Department of Correction.		For the maintenance of and for certain improvements at the following institutions under the control of the Department of Correction:	
State prison.	493	State prison, a sum not exceeding four thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose . .	$4,000 00
Massachusetts reformatory.	494	Massachusetts reformatory, a sum not exceeding sixty-five hundred dollars, including one hundred and sixty-five dollars to reimburse John R. McKenzie, an employee at the reformatory, for medical attendance and hospital treatment after an injury received in the textile mill, the same to be in addition to any amount heretofore appropriated for the purpose	6,500 00
Prison camp and hospital.	497	Prison camp and hospital, a sum not exceeding twelve hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose	1,200 00
State prison colony.	501	State prison colony, a sum not exceeding eleven thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose	11,000 00
		Total	$22,700 00

Service of the Department of Public Welfare.

		Division of Aid and Relief:	
Department of Public Welfare. Division of Aid and Relief.	507	For services other than personal, including traveling expenses and office supplies and equipment, a sum not exceeding two thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose . .	$2,000 00
		Division of Child Guardianship:	
Division of Child Guardianship.	515	For personal services of officers and employees, a sum not exceeding fifty-six hundred and fifty dollars, the same to be in addition to any amount heretofore appropriated for the purpose . .	5,650 00

Item			
516	For services other than personal, office supplies and equipment, a sum not exceeding twenty-three hundred and fifty dollars, the same to be in addition to any amount heretofore appropriated for the purpose	$2,350 00	
529a	For expenses of improvements in the power plant at the Lyman school for boys, a sum not exceeding four thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose	4,000 00	Lyman school for boys.
	Total	$14,000 00	
	Service of the Department of Public Health.		
	Service of Adult Hygiene (cancer):		
540	For personal services of the division, including cancer clinics, a sum not exceeding eight hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose . .	$800 00	Department of Public Health. Service of Adult Hygiene.
541	For other expenses of the division, including cancer clinics, a sum not exceeding seventeen hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose	1,700 00	
	Investigation:		
556a	For certain expenses, incurred in the fiscal year nineteen hundred and thirty, of an investigation relative to shellfish, a sum not exceeding six hundred and ninety dollars	690 00	Investigation as to shellfish.
	Division of Tuberculosis:		
562	For personal services of the director, stenographers, clerks and other assistants, a sum not exceeding seven hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose	700 00	Division of Tuberculosis.
563	For services other than personal, including printing the annual report, traveling expenses and office supplies and equipment, a sum not exceeding five hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose	500 00	
564	To cover the payment of certain subsidies for the maintenance of hospitals for tubercular patients, a sum not exceeding one thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose . . .	1,000 00	
571	For the maintenance of the Rutland state sanatorium, a sum not exceeding twenty-four hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose . .	2,400 00	Rutland state sanatorium.
	Total	$7,790 00	
	Service of the Department of Public Safety.		
	Administration:		
580	For contingent expenses, including printing the annual report, rent of district offices, supplies and equipment, and all other things necessary for the investigation of fires and moving picture licenses, as required by law, and for expenses of administering the law regulating the sale and resale of tickets to theatres and other places of public amusement by the department of public safety, a sum not exceeding twenty-three hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose	$2,300 00	Department of Public Safety. Administration.

	Item		
		Division of State Police:	
Division of State Police.	588a	For expenses of minor improvements at stations and sub-stations of the division of state police, a sum not exceeding six thousand dollars . .	$6,000 00
		Total	$8,300 00
		For the Service of the Department of Public Works.	
		Functions of the department relating to highways (the following appropriations are made from the Highway Fund):	
Department of Public Works. Highways.	610	For the construction and repair of town and county ways, a sum not exceeding two hundred thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose and to cover the cost of any work done in the city of Revere during the present year . .	$200,000 00
	612	The appropriation heretofore made under this item is hereby changed to include the expense of lighting any road authorized by law.	
	615a	For expenses of an investigation relative to the advisability of constructing certain highways, as authorized by chapter thirty-two of the resolves of the present year, a sum not exceeding twelve thousand dollars	12,000 00
	615b	For expenses authorized by law relative to preliminary estimates and plans for the construction of a bridge over the Saugus river between Point of Pines and the state highway leading to Lynn, a sum not exceeding seventy thousand dollars .	70,000 00
	615c	For expenses of a study relative to a bridge over Weymouth Fore river, a sum not exceeding ten thousand dollars	10,000 00
		Registration of Motor Vehicles:	
Registration of Motor Vehicles.	616	For personal services, a sum not exceeding three thousand dollars, to be paid from the Highway Fund and to be in addition to any amount heretofore appropriated for the purpose . . .	3,000 00
	617	For services other than personal, including traveling expenses, purchase of necessary supplies and materials, including cartage and storage of the same, and for work incidental to the registration and licensing of owners and operators of motor vehicles, a sum not exceeding six thousand dollars, to be paid from the Highway Fund and to be in addition to any amount heretofore appropriated for the purpose . . .	6,000 00
		Total	$301,000 00
		Functions of the department relating to waterways and public lands:	
Waterways and public lands.	625a	For expenses of building an addition and for improvements to the state pier at New Bedford, a sum not exceeding fifty thousand dollars .	$50,000 00
	625b	For expenses of constructing sea walls and shore protection in the town of Marshfield, as authorized by and subject to the conditions specified in a certain act of the present year, a sum not exceeding one hundred thousand dollars . .	100,000 00
	625c	For expenses of constructing sea walls and shore protection in the town of Scituate, as authorized by and subject to the conditions specified in a certain act of the present year, a sum not exceeding thirty-seven thousand five hundred dollars	37,500 00

Item			
627	For expenses of surveying certain town boundaries, by the department of public works, a sum not exceeding one thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose	$1,000 00	
	Total	$188,500 00	
	Service of the Department of Public Utilities.		
	Division of Smoke Inspection (the following item is to be assessed upon the cities and towns comprising the district defined by chapter 651 of the Acts of 1910, and acts in amendment thereof or in addition thereto):		Department of Public Utilities. Division of Smoke Inspection.
656	For other services, printing the annual report, rent of offices, travel, and necessary office supplies and equipment, a sum not exceeding one thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose	$1,000 00	
	Service of Metropolitan Boulevards (Highway Fund).		
661a	For certain expenses incurred in previous years for the maintenance of boulevards, a sum not exceeding fifty-eight hundred and fifty dollars, to be paid from the Highway Fund . . .	$5,850 00	Metropolitan Boulevards. (Highway Fund).
661b	For the construction of certain boulevards by the metropolitan district commission, as authorized by a certain act of the present year, a sum not exceeding two hundred seventy-five thousand dollars, to be paid from the Highway Fund .	275,000 00	
	Total	$280,850 00	
	Unclassified Accounts and Claims.		
671	For the compensation of certain public employees for injuries sustained in the course of their employment, as provided by section sixty-nine of chapter one hundred and fifty-two of the General Laws, as amended, a sum not exceeding seven thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose	$7,000 00	Compensation of certain public employees for injuries sustained in course of employment.
677	For the payment of claims authorized by certain resolves of the present year, a sum not exceeding eleven thousand six hundred seventy-three dollars and forty-two cents, of which sixty-five hundred fifty-nine dollars and ninety-four cents shall be charged to the Highway Fund. Said payments shall be certified by the comptroller of the commonwealth only upon the filing of satisfactory releases or other evidence that the payments are accepted in full compensation on the part of the commonwealth in respect thereto	11,673 42	Claims.
	Total	$18,673 42	
	Legislative Investigations.		
36b	For expenses of an investigation by an unpaid special commission relative to the establishment of an appropriate memorial to commemorate the virtues and achievements of Major-General Clarence R. Edwards, as authorized by chapter seven of the resolves of the present year, a sum not exceeding two thousand dollars . .	$2,000 00	Investigation as to establishment of memorial to Major-General Clarence R. Edwards.

	Item		
Investigation to improve certain procedure under the initiative and referendum provisions of constitution.	36c	For expenses of a special unpaid commission to investigate with a view to improving the procedure under the initiative and referendum provisions of the constitution for the purpose of rendering questions submitted thereunder more understandable to the voters and of eliminating certain inconsistencies in said provisions, as authorized by chapter eight of the resolves of the present year, a sum not exceeding fifteen hundred dollars	$1,500 00
Commission to continue study as to a certain additional memorial to men and women of Massachusetts who served in all wars, etc.	36d	For expenses of an unpaid special commission to continue a study and investigation relative to a certain additional fitting memorial to the men and women of Massachusetts who served in all wars in which Massachusetts has participated, as authorized by chapter twenty-one of the resolves of the present year, a sum not exceeding five thousand dollars, the same to be in addition to the unexpended balance of the amount appropriated by item 158bb of chapter four hundred and twenty-six of the acts of nineteen hundred and thirty	5,000 00
Commission relative to advisability of participation in World's Fair, etc.	36e	For expenses of an unpaid special commission relative to the advisability of participation by the commonwealth in the World's Fair to be held in Chicago, Illinois, in the year nineteen hundred and thirty-three, as authorized by chapter twenty-seven of the resolves of the present year, a sum not exceeding one thousand dollars	1,000 00
Commission to revise, etc., laws relating to co-operative banks.	36f	For expenses of an unpaid special commission to revise and recodify the laws relating to co-operative banks, as authorized by chapter twenty-nine of the resolves of the present year, a sum not exceeding fifteen hundred dollars . .	1,500 00
Commission to continue investigation as to changes in tax laws.	36g	For expenses of an unpaid special commission to continue the work of investigating certain proposed changes in the tax laws of the commonwealth and other matters relating thereto, as authorized by chapter thirty of the resolves of the present year, a sum not exceeding three thousand dollars	3,000 00
Commission to study, etc., laws relative to zoning, etc.	36h	For expenses of an unpaid special commission to study and revise the laws relative to zoning, town planning and the regulation of billboards and other advertising devices, as authorized by chapter thirty-one of the resolves of the present year, a sum not exceeding twenty-five hundred dollars	2,500 00
Investigation as to further care, etc., of certain mentally retarded children.	36i	For expenses of a special board to investigate relative to the further care and supervision of certain mentally retarded children in the public schools, as authorized by chapter thirty-four of the resolves of the present year, a sum not exceeding twelve thousand dollars . . .	12,000 00
Commission to survey, etc., laws relative to savings banks.	36j	For expenses of an unpaid special commission to make a survey and revision of the laws relative to savings banks, as authorized by chapter forty-one of the resolves of the present year, a sum not exceeding fifteen hundred dollars . .	1,500 00
Commission to continue survey, etc., of laws relating to marine fish, etc.	36k	For expenses of an unpaid special commission to continue the survey and revision of the laws of the commonwealth relating to marine fish and fisheries, including shellfish, as authorized by chapter forty-two of the resolves of the present year, a sum not exceeding two thousand dollars	2,000 00

Item			
36l	For expenses of an unpaid special commission to represent the commonwealth at the Yorktown Sesquicentennial Celebration at Yorktown, Virginia, as authorized by chapter forty-three of the resolves of the present year, a sum not exceeding twenty-five hundred dollars . .	$2,500 00	Commission to represent state at Yorktown Sesquicentennial Celebration.
36m	For expenses of an unpaid special commission to investigate relative to the highways, parks, and reservations along the Connecticut river, and relative to the improvement of said river for navigation purposes, as authorized by chapter fifty of the resolves of the present year, a sum not exceeding one thousand dollars . . .	1,000 00	Investigation as to highways, etc., along Connecticut river.
36n	For expenses of an unpaid special commission to investigate relative to the laws of the commonwealth pertaining to the inspection of dairy farms producing milk and cream for distribution in the commonwealth, as authorized by chapter forty-nine of the resolves of the present year, a sum not exceeding fifteen hundred dollars	1,500 00	Investigation as to laws pertaining to inspection of dairy farms, etc.
36o	For expenses of an unpaid special commission to investigate relative to the operation of the minimum wage law, as authorized by chapter fifty-eight of the resolves of the present year, a sum not exceeding fifteen hundred dollars . .	1,500 00	Investigation as to operation of minimum wage law.
36p	For expenses of an unpaid special commission to investigate relative to the regulation of school buses, as authorized by chapter fifty-nine of the resolves of the present year, a sum not exceeding fifteen hundred dollars	1,500 00	Investigation as to regulation of school buses.
36q	For expenses of an unpaid special commission to investigate relative to regulating the business of transporting certain property for hire upon the ways of the commonwealth by motor vehicle, as authorized by chapter sixty of the resolves of the present year, a sum not exceeding twenty-five hundred dollars	2,500 00	Investigation as to regulation of business of transporting certain property for hire, etc.
36r	For expenses of the joint committee on ways and means during the recess of the General Court, in considering the institutional needs of the commonwealth, and in investigating relative to future appropriations that may be required for the eradication of tuberculosis in cattle, as authorized by a joint order of the General Court, a sum not exceeding twenty-five hundred dollars	2,500 00	Certain expenses of joint committee on ways and means during recess of general court.
	Total	$45,000 00	

Other Appropriations.

153d	For the purchase of land, as authorized by law, in the city of Westfield for the construction of a state armory, a sum not exceeding nine thousand dollars	$9,000 00	Other Appropriations. State armory in Westfield.
64a	For expenses of the administrative committee of probate courts, as authorized by law, a sum not exceeding one thousand dollars . . .	1,000 00	Administrative committee of probate courts.
411a	For expenses of the board of registration in barbering, as authorized by chapter four hundred and eighteen of the acts of the present year, a sum not exceeding three thousand dollars .	3,000 00	Board of registration in barbering.
244a	For the construction of a state building on the grounds of the Brockton Agricultural Society, as authorized by law, a sum not exceeding fifty thousand dollars	50,000 00	State building on grounds of Brockton Agricultural Society.

	Item		
Construction of breakwater along water front in Hough's Neck section of city of Quincy. Proviso.	625d	For the construction of a breakwater or other means of protection for property along the water front in the Hough's Neck section of the city of Quincy, a sum not exceeding twenty thousand dollars, provided, that before any work is done by the department of public works the county of Norfolk and the city of Quincy shall contribute the sum of ten thousand dollars each, and pay the same into the treasury of the commonwealth, to be used in addition to the twenty thousand dollars hereby appropriated by the commonwealth	$20,000 00
Construction of breakwater at or near Long Beach in town of Rockport.	625e	For the construction of a breakwater or other means of protection for property at or near Long Beach in the town of Rockport, a sum not exceeding twenty-five thousand dollars, provided that before any work is done by the department of public works the town of Rockport shall contribute and pay into the treasury of the commonwealth the sum of twenty-five thousand dollars, to be used in addition to the twenty-five thousand dollars hereby appropriated by the commonwealth	25,000 00
		Attorney General's Department:	
Attorney General. Claims.	222b	For the settlement of certain claims, as provided by law, on account of damages by cars owned by the commonwealth and operated by state employees, a sum not exceeding five thousand dollars	5,000 00
State highway in city of Revere.	615d	For the construction of a state highway in the city of Revere, as provided by a law of the present year, a sum not exceeding twenty-five thousand dollars, to be paid from the Highway Fund .	25,000 00
		Total	$138,000 00
Acquiring certain lands at Salisbury Beach, etc.	257b	For acquiring certain lands at Salisbury Beach and for purposes incidental thereto, as provided by section two of chapter four hundred and forty-two of the acts of the present year, a sum not exceeding fifty thousand dollars, the same to be assessed upon the cities and towns of the commonwealth exclusive of those comprising the metropolitan parks district, but including Cohasset, in the manner provided in section four of chapter one hundred and thirty-two A of the General Laws	$50,000 00
		DEFICIENCIES.	
Deficiencies.		For deficiencies in certain appropriations of previous years, in certain items, as follows:	
		Service of Special Legislative Investigations.	
Commission to survey, etc., laws relative to marine fish, etc.		For expenses of an unpaid special commission for a survey and study of the laws of the commonwealth relative to marine fish and fisheries, as authorized by chapter twenty-eight of the resolves of nineteen hundred and thirty, the sum of one hundred thirty-eight dollars and ten cents	138 10

Item

Service of the Judicial Department.

Justices of District Courts:

For reimbursing certain counties for compensation of certain special justices for services in holding sessions of district courts in place of the justice, while sitting in the superior court, the sum of one hundred eighty-five dollars and nineteen cents $185 19

Judicial Department. Justices of District Courts.

Service of the State Quartermaster.

For the rental of stables, including water and certain other incidental services, for the housing of horses and mules, the sum of sixteen dollars and twenty-four cents 16 24

State Quartermaster.

For the maintenance of armories of the first class, including the purchase of certain furniture, the sum of thirty-five dollars and nine cents . . 35 09

Service of the Superintendent of Buildings.

For services, supplies and equipment necessary to furnish heat, light and power, the sum of one hundred twenty-two dollars and twelve cents . 122 12

Superintendent of Buildings.

Service of the Attorney General's Department.

For the compensation of assistants in his office, and for such other legal and personal services as may be required, the sum of twenty-six dollars and sixty-seven cents 26 67

Attorney General.

For services other than personal, traveling expenses, office supplies and equipment, the sum of fifteen dollars 15 00

Service of the Department of Public Health.

Water Supply and Disposal of Sewage, Engineering Division:

For other services, including traveling expenses, supplies, materials and equipment, the sum of one hundred and thirty-four dollars . . . 134 00

Department of Public Health. Water Supply, etc.

Division of Communicable Diseases:

For services other than personal, traveling expenses, office supplies and equipment, the sum of thirty dollars 30 00

Division of Communicable Diseases.

Service of the Department of Public Works.

For the maintenance and repair of state highways, including care of snow on highways, expenses of traffic signs and lights, and payment of damages caused by defects in state highways, with the approval of the attorney general, and for care and repair of road-building machinery, the sum of one hundred thirty-eight dollars and sixty-one cents, to be paid from the Highway Fund . . . 138 61

Department of Public Works.

For the purpose of enabling the department of public works to secure federal aid for the construction of highways, the sum of one hundred eighty-one dollars and fifty cents, to be paid from the Highway Fund 181 50

Total $1,022 52

Metropolitan District Commission.

	Item		
Metropolitan District Commission.		The following items are to be assessed upon the several districts in accordance with the methods fixed by law, and to be expended under the direction and with the approval of the metropolitan district commission:	
Band concerts.	680	For the expense of holding band concerts, a sum not exceeding ten thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose	$10,000 00
Golf course in Blue Hills reservation.	680a	For the construction of a golf course in the Blue Hills reservation, as provided by law, a sum not exceeding eighty thousand dollars . . .	80,000 00
Rest room in Blue Hills reservation.	680b	For the construction of a rest room and convenience station in the Blue Hills reservation, as provided by law, a sum not exceeding five thousand dollars	5,000 00
Investigation as to improvement of certain areas near Charles river in Waltham, etc.	680c	For expenses of an investigation by the metropolitan district commission relative to improving certain areas near the Charles river in Waltham, Newton, Weston and Watertown, as authorized by chapter twenty of the resolves of the present year, a sum not exceeding seventy-five hundred dollars	7,500 00
Certain expenses of division of metropolitan planning.	684	For services and expenses of the division of metropolitan planning, as authorized by chapter three hundred and ninety-nine of the acts of nineteen hundred and twenty-three, a sum not exceeding twenty-five hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose	2,500 00
Maintenance of boulevards.	687a	For certain expenses incurred in previous years for the maintenance of boulevards, a sum not exceeding fifty-eight hundred and fifty dollars, the same to be in addition to the amount appropriated in item 661a	5,850 00
Construction of certain boulevards.	687b	For the construction of certain boulevards by the metropolitan district commission, as authorized by a certain act of the present year, a sum not exceeding two hundred seventy-five thousand dollars, the same to be in addition to the amount appropriated in item 661b	275,000 00
Investigation as to providing additional sewage disposal facilities in Charles river valley.	691a	For expenses of an investigation by a joint board, consisting of the department of public health and the metropolitan district commission, relative to providing additional sewage disposal facilities in the Charles river valley, as authorized by chapter forty of the resolves of the present year, a sum not exceeding five thousand dollars, to be assessed upon the cities and towns in the south metropolitan sewerage district	5,000 00
		Total	$390,850 00
		General, Highway and Special funds . . .	$1,420,962 89
		Metropolitan District Commission	390,850 00

Changes and transfers in general appropriation act.

SECTION 3. The following changes and transfers, unless otherwise specified, are hereby made in chapter two hundred and forty-five of the acts of the present year (general appropriation act):

	Item	
Memorial to men and women of Massachusetts		Any necessary expenses incurred prior to April first of the present year by the special commission appointed under authority of section three of chapter four hundred and eleven of the acts

Item		
	of nineteen hundred and thirty, relative to a memorial to the men and women of Massachusetts who served in all wars, may be paid from the unexpended balance of the appropriation for expenses of said commission.	who served in all wars.
153	The appropriation heretofore made for the completion of the new armory in the city of North Adams is hereby made available for expenses for furnishings.	Armory in city of North Adams.
153b	The authorization made for the construction of aviation hangars and building for administrative purposes is hereby changed to include the purchase of equipment and furnishings, and temporary rental of quarters for planes.	Aviation hangars, etc.
274	This item is hereby amended to read as follows: For personal services for the enforcement of laws relative to shellfish and other marine fisheries, a sum not exceeding fifteen thousand nine hundred dollars.	Item 274 amended.
275	This item is hereby amended to read as follows: For other expenses for the enforcement of laws relative to shellfish and other marine fisheries, a sum not exceeding thirteen thousand three hundred dollars.	Item 275 amended.
212	There is hereby transferred from the appropriation for personal services of the members of the board of tax appeals and employees thereof the sum of twenty-four hundred dollars, said sum to be added to item 213 for services other than personal, traveling expenses, office supplies and equipment, and rent, for said board.	Board of tax appeals.
425	There is hereby transferred from the appropriation for compensation and expenses of wage boards the sum of seven hundred and fifty dollars, which sum is to be added to item 432 for services other than personal, printing, traveling expenses and office supplies and equipment for minimum wage service.	Wage boards.
430	There is hereby transferred from the appropriation for services other than personal, traveling expenses, office supplies and equipment for the division on necessaries of life the sum of two hundred nineteen dollars, said sum to be added to item 422 for personal services for the division on necessaries of life.	Division on necessaries of life.
452	Maintenance of Foxborough state hospital: To provide for a certain emergency, a transfer in the sum of twenty-two hundred dollars is hereby authorized from the classification for "Food" to the classification for "Repairs and Renewals".	Foxborough state hospital.
	The appropriation heretofore made for services of workmen necessary to complete the renovation of Ward C at the Foxborough state hospital is hereby changed to include the purchase of necessary materials.	
	The appropriation heretofore made for the cost of providing additional water supply for the Medfield state hospital is hereby increased in the sum of fifty thousand dollars by a transfer of said sum from item 444 for the maintenance of the Metropolitan state hospital.	Medfield state hospital.
	The appropriation heretofore made for the purchase of equipment necessary in connection with the purchase of power for the Northampton state hospital is hereby increased in the sum of twenty-five hundred dollars by a transfer of said sum from item 462 for the maintenance of the Northampton state hospital.	Northampton state hospital.
465	The appropriation made for the maintenance of the Taunton state hospital is hereby made available, so far as necessary, for the purchase of seats for the chapel.	Taunton state hospital.
469	The appropriation made for the maintenance of the Westborough state hospital is hereby increased in the sum of forty-five hundred dollars by a transfer of said sum from item 444 for the maintenance of the Metropolitan state hospital.	Westborough state hospital.
472	The appropriation made for the maintenance of the Worcester state hospital is hereby increased in the sum of forty-five hundred dollars by a transfer of said sum from item 444 for the maintenance of the Metropolitan state hospital.	Worcester state hospital.

Item

The appropriation made by chapter one hundred and forty-six of the acts of nineteen hundred and twenty-nine, for the construction of two cottages for officers at the Worcester state hospital, is hereby reappropriated and made available in addition to the sum of seven thousand dollars appropriated in chapter one of the acts of the present year under item M, the same to include furnishings.

1931, 268, § 2, amended.

475c Section two of chapter two hundred and sixty-eight of the acts of the present year is hereby amended in item 475c by striking out the word "cold" and inserting in place thereof the word "coal".

Walter E. Fernald state school.

479aa Walter E. Fernald state school — land taking: The funds for satisfying the judgment against the commonwealth in the case of Pierce et als. versus the commonwealth, in the sum of twenty-six thousand three hundred eighty-nine dollars and fifty-seven cents, are hereby made available by transferring to the appropriation of three thousand dollars heretofore made for land taking the sum of ten thousand dollars remaining from the appropriation made in nineteen hundred and thirty for the construction of a kitchen and dining-room building, and by transferring the remainder necessary from the appropriation made by item 479b for furnishing and equipping certain new buildings.

480 The appropriation made for extending the hot water lines at the Walter E. Fernald state school is hereby made in addition to the appropriation made by chapter one hundred and forty-six of the acts of nineteen hundred and twenty-nine.

Wrentham state school.

482 There may be expended from the appropriation made for the maintenance of the Wrentham state school a sum not exceeding five thousand dollars for the purchase of furnishings for the new clinical building.

Certain transfer to carry out provisions of 1931, 350.

484 To carry out the provisions of chapter three hundred and fifty of the acts of the present year, and to be effective as of June first of the present year, a transfer in the sum of forty-one hundred and seventy dollars is hereby made from item 484 for personal services of deputies, members of the board of parole and advisory board of pardons, agents, clerks and stenographers in the department of correction, said sum to be added to item 579 for personal services of clerks and stenographers in the department of public safety. The salaries of employees transferred under authority of said act shall be included in the payroll of the department of correction to and including May thirty-first of the present year.

Reappropriation of unexpended balance of appropriation made by item 577a of 1929, 386.

The unexpended balance of the appropriation made by item 577a of chapter three hundred and eighty-six of the acts of nineteen hundred and twenty-nine, for certain necessary expenses to be incurred in administering chapter three hundred and twelve of the acts of said year relative to the discharge of sewage into the coastal waters of Barnstable, Dukes and Nantucket counties, is hereby reappropriated.

Unexpended balance of appropriation made by 1930, 115, available for certain purpose.

The unexpended balance of the appropriation made by chapter one hundred and fifteen of the acts of nineteen hundred and thirty, for alterations to the superintendent's apartment at the Lakeville state sanatorium and alterations to the kitchen and staff dining-room, is hereby made available for the purchase of furnishings.

Payment to towns entitled to aid for repair and improvement of public ways, etc.

611 There shall be paid from this item on or after June first, of the current year, without further contract, to all towns entitled to aid for repair and improvement of public ways under section twenty-six of chapter eighty-one of the General Laws, as amended, a sum aggregating two hundred twenty thousand seven hundred and fifty dollars, the amounts so paid being payments referred to under provisions of section seven of chapter one hundred and twenty-two of the acts of the present year.

Item
612 This item is hereby amended by inserting after the word "machinery" the words: — and for the purchase and improvement of a nursery for roadside planting. Item 612 amended.

625 This item is hereby amended by inserting after the word "year" in the eighth line the words: — may be expended in the succeeding fiscal year. Item 625 amended.

Section 4. No payment shall be made or obligation incurred under authority of any special appropriation made by this act for construction of public buildings or other improvements at state institutions until plans and specifications have been approved by the governor, unless otherwise provided by such rules and regulations as the governor may make. No payment to be made for construction of public buildings, etc., until plans have been approved by governor.

Section 5. This act shall take effect upon its passage.

Approved June 10, 1931.

An Act to apportion and assess a state tax of seven million five hundred thousand dollars. *Chap.* 461

Whereas, A delay in the taking effect of this act would cause great inconvenience in the collection of the state tax, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience. Emergency preamble.

Be it enacted, etc., as follows:

Section 1. Each city and town in the commonwealth shall be assessed and pay the sum with which it stands charged in the following schedule, that is to say: — State tax apportioned and assessed.

Abington, seventy-five hundred dollars	$7,500 00
Acton, thirty-seven hundred fifty dollars	3,750 00
Acushnet, forty-four hundred twenty-five dollars	4,425 00
Adams, fifteen thousand four hundred fifty dollars	15,450 00
Agawam, ninety-five hundred twenty-five dollars	9,525 00
Alford, three hundred seventy-five dollars	375 00
Amesbury, fourteen thousand six hundred twenty-five dollars	14,625 00
Amherst, eleven thousand six hundred twenty-five dollars	11,625 00
Andover, twenty-one thousand nine hundred dollars	21,900 00
Arlington, fifty-six thousand six hundred twenty-five dollars	56,625 00
Ashburnham, twenty-one hundred seventy-five dollars	2,175 00
Ashby, twelve hundred dollars	1,200 00
Ashfield, fifteen hundred dollars	1,500 00
Ashland, three thousand dollars	3,000 00
Athol, twelve thousand nine hundred seventy-five dollars	12,975 00
Attleboro, twenty-eight thousand eight hundred seventy-five dollars	28,875 00
Auburn, sixty-five hundred twenty-five dollars	6,525 00
Avon, twenty-five hundred fifty dollars	2,550 00
Ayer, forty-one hundred twenty-five dollars	4,125 00
Barnstable, twenty-one thousand and seventy-five dollars	21,075 00
Barre, forty-six hundred fifty dollars	4,650 00
Becket, nine hundred dollars	900 00
Bedford, twenty-seven hundred seventy-five dollars	2,775 00
Belchertown, twenty-one hundred seventy-five dollars	2,175 00

State tax apportioned and assessed.

Bellingham, thirty-one hundred fifty dollars	$3,150 00
Belmont, thirty-five thousand four hundred dollars	35,400 00
Berkley, one thousand and fifty dollars	1,050 00
Berlin, eleven hundred twenty-five dollars	1,125 00
Bernardston, one thousand and fifty dollars	1,050 00
Beverly, forty-seven thousand nine hundred twenty-five dollars	47,925 00
Billerica, ten thousand eight hundred dollars	10,800 00
Blackstone, thirty-five hundred twenty-five dollars	3,525 00
Blandford, eleven hundred twenty-five dollars	1,125 00
Bolton, twelve hundred seventy-five dollars	1,275 00
Boston, one million nine hundred forty-six thousand and twenty-five dollars	1,946,025 00
Bourne, nine thousand and seventy-five dollars	9,075 00
Boxborough, three hundred seventy-five dollars	375 00
Boxford, twelve hundred seventy-five dollars	1,275 00
Boylston, nine hundred seventy-five dollars	975 00
Braintree, twenty-four thousand two hundred twenty-five dollars	24,225 00
Brewster, eighteen hundred seventy-five dollars	1,875 00
Bridgewater, eighty-one hundred dollars	8,100 00
Brimfield, fifteen hundred dollars	1,500 00
Brockton, eighty-six thousand and twenty-five dollars	86,025 00
Brookfield, seventeen hundred twenty-five dollars	1,725 00
Brookline, one hundred fifty-three thousand four hundred fifty dollars	153,450 00
Buckland, thirty-two hundred twenty-five dollars	3,225 00
Burlington, twenty-four hundred dollars	2,400 00
Cambridge, one hundred ninety-seven thousand four hundred seventy-five dollars	197,475 00
Canton, ten thousand two hundred seventy-five dollars	10,275 00
Carlisle, nine hundred dollars	900 00
Carver, three thousand dollars	3,000 00
Charlemont, thirteen hundred fifty dollars	1,350 00
Charlton, twenty-three hundred twenty-five dollars	2,325 00
Chatham, fifty-one hundred dollars	5,100 00
Chelmsford, ninety-eight hundred twenty-five dollars	9,825 00
Chelsea, sixty-five thousand three hundred twenty-five dollars	65,325 00
Cheshire, nineteen hundred fifty dollars	1,950 00
Chester, eighteen hundred dollars	1,800 00
Chesterfield, six hundred dollars	600 00
Chicopee, fifty-nine thousand seven hundred dollars	59,700 00
Chilmark, six hundred dollars	600 00
Clarksburg, twelve hundred seventy-five dollars	1,275 00
Clinton, eighteen thousand five hundred twenty-five dollars	18,525 00
Cohasset, ninety-eight hundred twenty-five dollars	9,825 00
Colrain, nineteen hundred fifty dollars	1,950 00
Concord, ninety-five hundred twenty-five dollars	9,525 00
Conway, one thousand and fifty dollars	1,050 00
Cummington, six hundred dollars	600 00
Dalton, seventy-three hundred fifty dollars	7,350 00
Dana, eight hundred twenty-five dollars	825 00
Danvers, thirteen thousand eight hundred seventy-five dollars	13,875 00
Dartmouth, twelve thousand six hundred seventy-five dollars	12,675 00
Dedham, twenty-five thousand and fifty dollars	25,050 00
Deerfield, fifty-two hundred fifty dollars	5,250 00
Dennis, thirty-three hundred seventy-five dollars	3,375 00
Dighton, fifty-one hundred dollars	5,100 00
Douglas, twenty-three hundred twenty-five dollars	2,325 00
Dover, thirty-six hundred seventy-five dollars	3,675 00
Dracut, fifty-nine hundred twenty-five dollars	5,925 00
Dudley, fifty-two hundred fifty dollars	5,250 00

Dunstable, five hundred twenty-five dollars	$525 00	State tax apportioned and assessed.
Duxbury, sixty-three hundred seventy-five dollars	6,375 00	
East Bridgewater, six thousand dollars	6,000 00	
East Brookfield, twelve hundred seventy-five dollars	1,275 00	
East Longmeadow, thirty-nine hundred dollars	3,900 00	
Eastham, twelve hundred dollars	1,200 00	
Easthampton, sixteen thousand and fifty dollars	16,050 00	
Easton, sixty-nine hundred seventy-five dollars	6,975 00	
Edgartown, forty-five hundred dollars	4,500 00	
Egremont, nine hundred seventy-five dollars	975 00	
Enfield, seven hundred fifty dollars	750 00	
Erving, three thousand dollars	3,000 00	
Essex, seventeen hundred twenty-five dollars	1,725 00	
Everett, seventy-two thousand nine hundred seventy-five dollars	72,975 00	
Fairhaven, thirteen thousand six hundred fifty dollars	13,650 00	
Fall River, one hundred sixty-one thousand seven hundred dollars	161,700 00	
Falmouth, nineteen thousand eight hundred dollars	19,800 00	
Fitchburg, sixty-three thousand three hundred dollars	63,300 00	
Florida, fifteen hundred dollars	1,500 00	
Foxborough, sixty-three hundred seventy-five dollars	6,375 00	
Framingham, thirty-seven thousand one hundred twenty-five dollars	37,125 00	
Franklin, ten thousand two hundred seventy-five dollars	10,275 00	
Freetown, twenty-two hundred fifty dollars	2,250 00	
Gardner, twenty-eight thousand six hundred fifty dollars	28,650 00	
Gay Head, one hundred fifty dollars	150 00	
Georgetown, twenty-one hundred seventy-five dollars	2,175 00	
Gill, one thousand and fifty dollars	1,050 00	
Gloucester, thirty-nine thousand one hundred fifty dollars	39,150 00	
Goshen, four hundred fifty dollars	450 00	
Gosnold, twelve hundred dollars	1,200 00	
Grafton, fifty-eight hundred fifty dollars	5,850 00	
Granby, twelve hundred dollars	1,200 00	
Granville, eight hundred twenty-five dollars	825 00	
Great Barrington, twelve thousand two hundred twenty-five dollars	12,225 00	
Greenfield, thirty thousand four hundred fifty dollars	30,450 00	
Greenwich, five hundred twenty-five dollars	525 00	
Groton, forty-seven hundred twenty-five dollars	4,725 00	
Groveland, twenty-three hundred twenty-five dollars	2,325 00	
Hadley, thirty-four hundred fifty dollars	3,450 00	
Halifax, fifteen hundred dollars	1,500 00	
Hamilton, fifty-four hundred seventy-five dollars	5,475 00	
Hampden, seven hundred fifty dollars	750 00	
Hancock, six hundred seventy-five dollars	675 00	
Hanover, thirty-eight hundred twenty-five dollars	3,825 00	
Hanson, twenty-nine hundred twenty-five dollars	2,925 00	
Hardwick, thirty-six hundred seventy-five dollars	3,675 00	
Harvard, twenty-five hundred fifty dollars	2,550 00	
Harwich, fifty-one hundred seventy-five dollars	5,175 00	
Hatfield, thirty-three hundred seventy-five dollars	3,375 00	
Haverhill, sixty-nine thousand nine hundred seventy-five dollars	69,975 00	
Hawley, three hundred dollars	300 00	
Heath, five hundred twenty-five dollars	525 00	
Hingham, fourteen thousand one hundred dollars	14,100 00	
Hinsdale, twelve hundred dollars	1,200 00	
Holbrook, forty-two hundred dollars	4,200 00	
Holden, four thousand and fifty dollars	4,050 00	
Holland, two hundred twenty-five dollars	225 00	
Holliston, thirty-nine hundred dollars	3,900 00	
Holyoke, one hundred twenty thousand nine hundred dollars	120,900 00	
Hopedale, six thousand and seventy-five dollars	6,075 00	

State tax apportioned and assessed.

Hopkinton, thirty-one hundred fifty dollars	$3,150 00
Hubbardston, one thousand and fifty dollars	1,050 00
Hudson, ninety-three hundred seventy-five dollars	9,375 00
Hull, fifteen thousand nine hundred dollars	15,900 00
Huntington, sixteen hundred fifty dollars	1,650 00
Ipswich, eighty-four hundred dollars	8,400 00
Kingston, forty-four hundred twenty-five dollars	4,425 00
Lakeville, seventeen hundred twenty-five dollars	1,725 00
Lancaster, thirty-four hundred fifty dollars	3,450 00
Lanesborough, fifteen hundred dollars	1,500 00
Lawrence, one hundred forty thousand seven hundred dollars	140,700 00
Lee, sixty-three hundred dollars	6,300 00
Leicester, forty-eight hundred dollars	4,800 00
Lenox, sixty-six hundred dollars	6,600 00
Leominster, twenty-nine thousand six hundred twenty-five dollars	29,625 00
Leverett, six hundred seventy-five dollars	675 00
Lexington, eighteen thousand five hundred twenty-five dollars	18,525 00
Leyden, three hundred seventy-five dollars	375 00
Lincoln, twenty-eight hundred fifty dollars	2,850 00
Littleton, twenty-seven hundred dollars	2,700 00
Longmeadow, ten thousand one hundred twenty-five dollars	10,125 00
Lowell, one hundred forty thousand one hundred dollars	140,100 00
Ludlow, eleven thousand and twenty-five dollars	11,025 00
Lunenburg, twenty-five hundred fifty dollars	2,550 00
Lynn, one hundred forty-five thousand eight hundred dollars	145,800 00
Lynnfield, thirty-one hundred fifty dollars	3,150 00
Malden, seventy-four thousand and twenty-five dollars	74,025 00
Manchester, twelve thousand two hundred twenty-five dollars	12,225 00
Mansfield, nine thousand dollars	9,000 00
Marblehead, eighteen thousand nine hundred seventy-five dollars	18,975 00
Marion, forty-six hundred fifty dollars	4,650 00
Marlborough, nineteen thousand eight hundred seventy-five dollars	19,875 00
Marshfield, sixty-one hundred fifty dollars	6,150 00
Mashpee, nine hundred seventy-five dollars	975 00
Mattapoisett, thirty-six hundred seventy-five dollars	3,675 00
Maynard, eighty-six hundred twenty-five dollars	8,625 00
Medfield, thirty-three hundred seventy-five dollars	3,375 00
Medford, seventy-six thousand seven hundred twenty-five dollars	76,725 00
Medway, thirty-seven hundred fifty dollars	3,750 00
Melrose, thirty-six thousand dollars	36,000 00
Mendon, fourteen hundred twenty-five dollars	1,425 00
Merrimac, twenty-seven hundred dollars	2,700 00
Methuen, twenty-four thousand six hundred dollars	24,600 00
Middleborough, ten thousand four hundred twenty-five dollars	10,425 00
Middlefield, three hundred seventy-five dollars	375 00
Middleton, seventeen hundred twenty-five dollars	1,725 00
Milford, sixteen thousand eight hundred seventy-five dollars	16,875 00
Millbury, sixty-seven hundred fifty dollars	6,750 00
Millis, thirty-three hundred seventy-five dollars	3,375 00
Millville, twenty-one hundred dollars	2,100 00
Milton, thirty-six thousand four hundred fifty dollars	36,450 00
Monroe, thirteen hundred fifty dollars	1,350 00
Monson, forty-three hundred fifty dollars	4,350 00
Montague, fourteen thousand seven hundred seventy-five dollars	14,775 00
Monterey, nine hundred dollars	900 00

Montgomery, three hundred dollars	$300 00	State tax apportioned and assessed.
Mount Washington, two hundred twenty-five dollars	225 00	
Nahant, forty-eight hundred seventy-five dollars	4,875 00	
Nantucket, ten thousand five hundred dollars	10,500 00	
Natick, seventeen thousand seven hundred seventy-five dollars	17,775 00	
Needham, twenty thousand three hundred twenty-five dollars	20,325 00	
New Ashford, one hundred fifty dollars	150 00	
New Bedford, one hundred ninety-three thousand eight hundred seventy-five dollars	193,875 00	
New Braintree, six hundred dollars	600 00	
New Marlborough, sixteen hundred fifty dollars	1,650 00	
New Salem, six hundred seventy-five dollars	675 00	
Newbury, twenty-four hundred seventy-five dollars	2,475 00	
Newburyport, fifteen thousand nine hundred seventy-five dollars	15,975 00	
Newton, one hundred forty-six thousand five hundred fifty dollars	146,550 00	
Norfolk, eighteen hundred seventy-five dollars	1,875 00	
North Adams, thirty-two thousand six hundred twenty-five dollars	32,625 00	
North Andover, ten thousand four hundred twenty-five dollars	10,425 00	
North Attleborough, twelve thousand one hundred fifty dollars	12,150 00	
North Brookfield, thirty-three hundred seventy-five dollars	3,375 00	
North Reading, twenty-four hundred dollars	2,400 00	
Northampton, thirty-three thousand two hundred twenty-five dollars	33,225 00	
Northborough, twenty-three hundred twenty-five dollars	2,325 00	
Northbridge, thirteen thousand and fifty dollars	13,050 00	
Northfield, twenty-seven hundred dollars	2,700 00	
Norton, three thousand dollars	3,000 00	
Norwell, twenty-one hundred seventy-five dollars	2,175 00	
Norwood, twenty-eight thousand five hundred seventy-five dollars	28,575 00	
Oak Bluffs, forty-five hundred dollars	4,500 00	
Oakham, six hundred dollars	600 00	
Orange, sixty-eight hundred twenty-five dollars	6,825 00	
Orleans, thirty-six hundred dollars	3,600 00	
Otis, six hundred dollars	600 00	
Oxford, forty-two hundred dollars	4,200 00	
Palmer, thirteen thousand one hundred twenty-five dollars	13,125 00	
Paxton, one thousand and fifty dollars	1,050 00	
Peabody, twenty-seven thousand six hundred seventy-five dollars	27,675 00	
Pelham, eight hundred twenty-five dollars	825 00	
Pembroke, twenty-eight hundred fifty dollars	2,850 00	
Pepperell, thirty-eight hundred twenty-five dollars	3,825 00	
Peru, three hundred seventy-five dollars	375 00	
Petersham, eighteen hundred seventy-five dollars	1,875 00	
Phillipston, four hundred fifty dollars	450 00	
Pittsfield, seventy-one thousand one hundred dollars	71,100 00	
Plainfield, four hundred fifty dollars	450 00	
Plainville, eighteen hundred seventy-five dollars	1,875 00	
Plymouth, twenty-nine thousand nine hundred twenty-five dollars	29,925 00	
Plympton, seven hundred fifty dollars	750 00	
Prescott, one hundred fifty dollars	150 00	
Princeton, fifteen hundred dollars	1,500 00	
Provincetown, forty-eight hundred seventy-five dollars	4,875 00	
Quincy, one hundred thirty-one thousand eight hundred fifty dollars	131,850 00	
Randolph, sixty-four hundred fifty dollars	6,450 00	

State tax apportioned and assessed.

Raynham, twenty-two hundred fifty dollars	$2,250 00
Reading, fifteen thousand nine hundred dollars	15,900 00
Rehoboth, twenty-four hundred seventy-five dollars	2,475 00
Revere, forty-two thousand seven hundred fifty dollars	42,750 00
Richmond, eight hundred twenty-five dollars	825 00
Rochester, fifteen hundred seventy-five dollars	1,575 00
Rockland, ten thousand two hundred dollars	10,200 00
Rockport, fifty-nine hundred twenty-five dollars	5,925 00
Rowe, nine hundred dollars	900 00
Rowley, eighteen hundred dollars	1,800 00
Royalston, twelve hundred seventy-five dollars	1,275 00
Russell, forty-seven hundred twenty-five dollars	4,725 00
Rutland, sixteen hundred fifty dollars	1,650 00
Salem, sixty thousand six hundred dollars	60,600 00
Salisbury, thirty-seven hundred fifty dollars	3,750 00
Sandisfield, seven hundred fifty dollars	750 00
Sandwich, twenty-seven hundred dollars	2,700 00
Saugus, fourteen thousand nine hundred twenty-five dollars	14,925 00
Savoy, three hundred seventy-five dollars	375 00
Scituate, eleven thousand eight hundred fifty dollars	11,850 00
Seekonk, forty-eight hundred seventy-five dollars	4,875 00
Sharon, sixty-three hundred dollars	6,300 00
Sheffield, seventeen hundred twenty-five dollars	1,725 00
Shelburne, thirty-one hundred fifty dollars	3,150 00
Sherborn, eighteen hundred dollars	1,800 00
Shirley, twenty-five hundred fifty dollars	2,550 00
Shrewsbury, eighty-three hundred twenty-five dollars	8,325 00
Shutesbury, four hundred fifty dollars	450 00
Somerset, twelve thousand and seventy-five dollars	12,075 00
Somerville, one hundred twenty-nine thousand six hundred dollars	129,600 00
South Hadley, ten thousand eight hundred dollars	10,800 00
Southampton, nine hundred seventy-five dollars	975 00
Southborough, thirty-eight hundred twenty-five dollars	3,825 00
Southbridge, sixteen thousand three hundred fifty dollars	16,350 00
Southwick, two thousand and twenty-five dollars	2,025 00
Spencer, fifty-five hundred fifty dollars	5,550 00
Springfield, three hundred thirteen thousand five hundred dollars	313,500 00
Sterling, twenty-one hundred dollars	2,100 00
Stockbridge, fifty-two hundred fifty dollars	5,250 00
Stoneham, thirteen thousand five hundred dollars	13,500 00
Stoughton, ten thousand six hundred fifty dollars	10,650 00
Stow, eighteen hundred dollars	1,800 00
Sturbridge, fifteen hundred dollars	1,500 00
Sudbury, twenty-eight hundred fifty dollars	2,850 00
Sunderland, fifteen hundred seventy-five dollars	1,575 00
Sutton, twenty-one hundred seventy-five dollars	2,175 00
Swampscott, twenty-four thousand nine hundred seventy-five dollars	24,975 00
Swansea, forty-seven hundred twenty-five dollars	4,725 00
Taunton, forty-six thousand two hundred dollars	46,200 00
Templeton, four thousand and fifty dollars	4,050 00
Tewksbury, thirty-seven hundred fifty dollars	3,750 00
Tisbury, fifty-four hundred dollars	5,400 00
Tolland, three hundred seventy-five dollars	375 00
Topsfield, twenty-nine hundred twenty-five dollars	2,925 00
Townsend, twenty-five hundred fifty dollars	2,550 00
Truro, one thousand and fifty dollars	1,050 00
Tyngsborough, twelve hundred seventy-five dollars	1,275 00
Tyringham, five hundred twenty-five dollars	525 00
Upton, eighteen hundred dollars	1,800 00
Uxbridge, eighty-eight hundred fifty dollars	8,850 00
Wakefield, twenty-four thousand two hundred twenty-five dollars	24,225 00

Wales, five hundred twenty-five dollars	$525 00	State tax apportioned and assessed.
Walpole, fifteen thousand four hundred fifty dollars	15,450 00	
Waltham, fifty-eight thousand eight hundred seventy-five dollars	58,875 00	
Ware, eighty-seven hundred seventy-five dollars	8,775 00	
Wareham, twelve thousand six hundred dollars	12,600 00	
Warren, forty-eight hundred seventy-five dollars	4,875 00	
Warwick, six hundred dollars	600 00	
Washington, two hundred twenty-five dollars	225 00	
Watertown, fifty-five thousand seven hundred twenty-five dollars	55,725 00	
Wayland, fifty-four hundred dollars	5,400 00	
Webster, fourteen thousand four hundred dollars	14,400 00	
Wellesley, thirty thousand six hundred dollars	30,600 00	
Wellfleet, fifteen hundred dollars	1,500 00	
Wendell, one thousand and fifty dollars	1,050 00	
Wenham, thirty-four hundred fifty dollars	3,450 00	
West Boylston, two thousand and twenty-five dollars	2,025 00	
West Bridgewater, thirty-four hundred fifty dollars	3,450 00	
West Brookfield, seventeen hundred twenty-five dollars	1,725 00	
West Newbury, thirteen hundred fifty dollars	1,350 00	
West Springfield, thirty thousand five hundred twenty-five dollars	30,525 00	
West Stockbridge, fourteen hundred twenty-five dollars	1,425 00	
West Tisbury, eight hundred twenty-five dollars	825 00	
Westborough, forty-eight hundred seventy-five dollars	4,875 00	
Westfield, twenty-five thousand two hundred seventy-five dollars	25,275 00	
Westford, fifty-one hundred dollars	5,100 00	
Westhampton, four hundred fifty dollars	450 00	
Westminster, sixteen hundred fifty dollars	1,650 00	
Weston, eighty-four hundred seventy-five dollars	8,475 00	
Westport, sixty-six hundred dollars	6,600 00	
Westwood, forty-two hundred seventy-five dollars	4,275 00	
Weymouth, forty-three thousand and fifty dollars	43,050 00	
Whately, fifteen hundred seventy-five dollars	1,575 00	
Whitman, ninety-seven hundred fifty dollars	9,750 00	
Wilbraham, thirty-seven hundred fifty dollars	3,750 00	
Williamsburg, two thousand and twenty-five dollars	2,025 00	
Williamstown, seventy-five hundred dollars	7,500 00	
Wilmington, forty-two hundred dollars	4,200 00	
Winchendon, seventy-four hundred twenty-five dollars	7,425 00	
Winchester, twenty-nine thousand two hundred fifty dollars	29,250 00	
Windsor, five hundred twenty-five dollars	525 00	
Winthrop, twenty-five thousand seven hundred twenty-five dollars	25,725 00	
Woburn, twenty-three thousand one hundred dollars	23,100 00	
Worcester, three hundred fifty-five thousand eight hundred dollars	355,800 00	
Worthington, six hundred seventy-five dollars	675 00	
Wrentham, thirty-five hundred twenty-five dollars	3,525 00	
Yarmouth, forty-four hundred twenty-five dollars	4,425 00	
	$7,500,000 00	

Section 2. The state treasurer shall forthwith send his warrant, according to the provisions of section twenty of chapter fifty-nine of the General Laws to the selectmen or assessors of each city and town taxed as aforesaid, requiring them respectively to assess the sum so charged, and to add the amount of such tax to the amount of city, town and county taxes to be assessed by them respectively on each city and town. State treasurer to issue warrant.

Payment of assessments by cities and towns.

Section 3. The state treasurer in his warrant shall require the selectmen or assessors to pay, or issue severally their warrant or warrants requiring the treasurers of their several cities and towns to pay to the state treasurer, on or before November twentieth in the year nineteen hundred and thirty-one, the sums set against said cities and towns in the schedule aforesaid; and the selectmen or assessors, respectively, shall return a certificate of the names of the treasurers of their several cities and towns, with the sum which each may be required to collect, to the state treasurer at some time before September first in the year nineteen hundred and thirty-one.

Notice to treasurers of delinquent cities and towns.

Section 4. If the amount due from any city or town, as provided in this act, is not paid to the state treasurer within the time specified, then the state treasurer shall notify the treasurer of such delinquent city or town, who shall pay into the treasury of the commonwealth, in addition to the tax, such further sum as would be equal to one per cent per month during the delinquency from and after November twentieth in the year nineteen hundred and thirty-one; and if the same remains unpaid after December first in the year nineteen hundred and thirty-one, an information may be filed by the state treasurer in the supreme judicial court, or before any justice thereof, against such delinquent city or town; and upon notice to such city or town, and a summary hearing thereon, a warrant of distress may issue against such city or town to enforce the payment of said taxes under such penalties as the court, or the justice thereof before whom the hearing is had, shall order. Nothing herein contained shall be construed to prevent the state treasurer from deducting at any time, from any moneys which may be due from the commonwealth to the delinquent city or town, the whole or any part of said tax, with the interest accrued thereon, which shall remain unpaid. *Approved June 10, 1931.*

Chap. 462 An Act relative to the terms of certain notes to be issued by the commonwealth.

Be it enacted, etc., as follows:

Term of state notes for certain highway and other improvements in certain cities and towns within metropolitan parks district.

The term of the notes which the state treasurer is authorized to issue under chapter four hundred and fifty-four of the acts of the present year, authorizing certain highway and other improvements in certain cities and towns within the metropolitan parks district, shall not exceed three years, as recommended by the governor in a message to the general court dated June tenth, nineteen hundred and thirty-one, in pursuance of section three of Article LXII of the amendments to the constitution. *Approved June 10, 1931.*

RESOLVES.

RESOLVE EXTENDING THE TIME FOR THE REPORT OF THE SPECIAL COMMISSION ESTABLISHED TO CONSIDER THE ENTIRE PROBLEM OF RETIREMENT ALLOWANCES PROVIDED FOR EMPLOYEES OF THE COMMONWEALTH AND OF THE METROPOLITAN DISTRICT COMMISSION UNDER THE STATE RETIREMENT SYSTEM. *Chap.* 1

Extension of time for report of special commission to consider entire problem of retirement allowances provided for employees of commonwealth, etc.

Resolved, That the time within which the special commission established, under chapter forty-nine of the resolves of nineteen hundred and thirty, to consider the entire problem of retirement allowances provided for employees of the commonwealth and of the metropolitan district commission under the state retirement system, is required to file its report is hereby extended to the first Wednesday in December in the current year.

Approved February 2, 1931.

RESOLVE VALIDATING THE ACTS OF WALTER H. WILCOX OF WOBURN AS A JUSTICE OF THE PEACE. *Chap.* 2

Acts of Walter H. Wilcox as a justice of the peace validated.

Resolved, That the acts of Walter H. Wilcox of Woburn as a justice of the peace, between June twenty-first, nineteen hundred and twenty-three and January seventh, nineteen hundred and thirty-one, both dates inclusive, are hereby confirmed and made valid to the same extent as if during that time he had been qualified to discharge the duties of said office. *Approved March 24, 1931.*

RESOLVE VALIDATING THE ACTS OF STANISLAW M. ROSINSKI OF LAWRENCE AS A NOTARY PUBLIC. *Chap.* 3

Acts of Stanislaw M. Rosinski as a notary public validated.

Resolved, That the acts of Stanislaw M. Rosinski of Lawrence as a notary public, between October sixth, nineteen hundred and twenty-two and October sixth, nineteen hundred and twenty-nine, both dates inclusive, are hereby confirmed and made valid to the same extent as if during that time he had been qualified to discharge the duties of said office. *Approved March 24, 1931.*

RESOLVE SIGNIFYING THE COMMONWEALTH'S ACCEPTANCE OF A TABLET COMMEMORATING THE INSTITUTION OF THE MASSACHUSETTS DEPARTMENT OF THE GRAND ARMY OF THE REPUBLIC AND AUTHORIZING ITS LOCATION IN THE STATE HOUSE OR THE GROUNDS THEREOF. *Chap.* 4

Acceptance of tablet commemorating institution of

Resolved, That a tablet commemorating the institution of the Massachusetts Department of the Grand Army of the Republic, which tablet is proposed to be presented to

Massachusetts Department of the Grand Army of the Republic, etc.

the commonwealth by the Department of Massachusetts, Daughters of Union Veterans of the Civil War, be accepted, subject to the approval of the art commission of the commonwealth, the same to be affixed, with like approval, to the easterly granite post at the foot of the steps leading to the Hooker monument entrance of the state house, or to be placed in some other appropriate location in the state house or the grounds thereof, to be approved by said art commission.

Approved April 14, 1931.

Chap. 5 RESOLVE PROVIDING FOR AN INVESTIGATION BY THE ARMORY COMMISSIONERS RELATIVE TO THE CONSTRUCTION OF A NEW STATE ARMORY IN THE CITY OF LYNN, OR THE CONSTRUCTION OF AN ADDITION TO THE EXISTING STATE ARMORY THEREIN.

Investigation as to construction of a new state armory in city of Lynn, etc.

Resolved, That the armory commissioners are hereby directed to investigate relative to the desirability, necessity and expediency of the construction by the commonwealth in the city of Lynn of a new state armory, or of an addition to the existing state armory therein, for the use of the militia, to replace or supplement said existing armory, and the location and probable cost thereof, including the cost of acquiring such land as may be necessary.

Report to general court, etc.

Said commissioners are hereby further directed to report to the general court their conclusions and recommendations, if any, with drafts of legislation necessary to carry such recommendations into effect, by filing the same with the clerk of the senate not later than the first Wednesday in December of the current year, and by filing a copy thereof with the budget commissioner. *Approved April 24, 1931.*

Chap. 6 RESOLVE VALIDATING THE ACTS OF FREDERICK L. SILBERSTEIN OF BOSTON AS A NOTARY PUBLIC.

Acts of Frederick L. Silberstein as a notary public validated.

Resolved, That the acts of Frederick L. Silberstein of Boston as a notary public, between August fifteenth, nineteen hundred and twenty-four and March twenty-first, nineteen hundred and thirty-one, both dates inclusive, are hereby confirmed and made valid to the same extent as if during said time he had been qualified to discharge the duties of said office. *Approved April 29, 1931.*

Chap. 7 RESOLVE PROVIDING FOR AN INVESTIGATION RELATIVE TO THE ESTABLISHMENT OF AN APPROPRIATE MEMORIAL TO COMMEMORATE THE VIRTUES AND ACHIEVEMENTS OF MAJOR-GENERAL CLARENCE R. EDWARDS.

Investigation as to establishment of an appropriate memorial to commemorate the virtues and

Resolved, That a special unpaid commission, to consist of five citizens of the commonwealth to be appointed by the governor, of whom three shall be members of the Yankee Division, so-called, is hereby established for the purpose of

advising the general court as to the character, form and location, whether on the state house grounds or elsewhere in the city of Boston, of memorial which should be erected to commemorate the virtues and achievements of the late Major-General Clarence R. Edwards, and to afford lasting evidence of the affection and esteem in which his memory is held by all the people of the commonwealth. The commission may expend for necessary assistance and expenses, from such appropriation as may be made, sums not exceeding, in the aggregate, two thousand dollars, and shall file its recommendations with the clerk of the senate on or before the first day of December in the current year.

achievements of Major-General Clarence R. Edwards.

Expenditure.

Approved April 30, 1931.

RESOLVE PROVIDING FOR AN INVESTIGATION WITH A VIEW TO IMPROVING THE PROCEDURE UNDER THE INITIATIVE AND REFERENDUM PROVISIONS OF THE CONSTITUTION FOR THE PURPOSE OF RENDERING QUESTIONS SUBMITTED THEREUNDER MORE UNDERSTANDABLE TO THE VOTERS AND OF ELIMINATING CERTAIN INCONSISTENCIES IN SAID PROVISIONS. *Chap.* 8

Resolved, That a special unpaid commission to consist of one senator to be designated by the president of the senate, three representatives to be designated by the speaker of the house of representatives, and three other members to be appointed by the governor, with the advice and consent of the council, is hereby established for the purpose of studying the initiative and referendum provisions of the constitution of the commonwealth and their operation during the thirteen years since their adoption, with a view to such changes therein as may render questions submitted thereunder more intelligible and understandable to the voters, to the elimination of conflicts and inconsistencies in said provisions and to the more effective accomplishment of the purposes for which said provisions were adopted by the people. The commission shall be provided with quarters in the state house, may hold hearings and may expend, for clerical and other assistance, from such appropriation, not exceeding fifteen hundred dollars, as may be made, such sums as may be approved by the governor and council. Said commission shall report to the general court by filing its recommendations, with drafts of such proposed amendments to the constitution as may be necessary to give effect to the same, with the clerk of the senate on or before the first Wednesday in December of the current year.

Investigation to improve certain procedure under the initiative and referendum provisions of the constitution, etc.

Quarters in state house.

Expenditure.

Report to general court, etc.

Approved April 30, 1931.

Chap. 9 RESOLVE RELATIVE TO THE PUBLICATION OF A VOLUME CONTAINING THE PROCEEDINGS OF THE EXTRA SESSION OF THE GENERAL COURT CONVENED FOR THE OBSERVANCE OF THE TERCENTENARY OF THE ESTABLISHMENT OF THE GENERAL COURT, AND OTHER RELATED MATERIAL.

Publication of a volume containing the proceedings of tercentenary observance of general court, etc.

Resolved, That, subject to appropriation, a sum not exceeding thirty-one hundred dollars, may be expended, under the direction of the committees on rules of the two branches of the general court, acting concurrently, for the purpose of publishing, in suitable form, a volume containing the proceedings of the extra session of the general court convened on the twentieth day of October, nineteen hundred and thirty, for the purpose of observing the three hundredth anniversary of the establishment of the general court, including such other related material as said committees may deem appropriate. Copies of said volume shall be distributed in such manner as the said committees, acting as aforesaid, may determine. *Approved April 30, 1931.*

Distribution.

Chap. 10 RESOLVE TO PROVIDE FOR AN INVESTIGATION RELATIVE TO THE ADVISABILITY OF PROVIDING MEANS FOR FACILITATING REFERENCE TO SPECIAL LAWS RELATING TO PARTICULAR CITIES, TOWNS AND OTHER POLITICAL SUBDIVISIONS OF THE COMMONWEALTH BY TABLES OF CHANGES, INDICES OR OTHERWISE.

Investigation as to advisability of providing means for facilitating reference to special laws relating to particular cities, towns, etc.

Resolved, That the state secretary and the attorney general, acting jointly, are hereby authorized and directed to investigate the advisability of providing means for facilitating reference to special laws relating to any particular city, town or other political subdivision of the commonwealth by tables of changes, indices or otherwise. They shall report to the general court the results of their investigation and their recommendations, if any, together with drafts of legislation necessary for carrying the same into effect, by filing the same with the clerk of the house of representatives on or before December first in the current year.

Report to general court, etc.

Approved May 4, 1931.

Chap. 11 RESOLVE ESTABLISHING A SPECIAL COMMISSION TO ERECT A MONUMENT ON THE BENNINGTON BATTLEFIELD IN THE STATE OF NEW YORK.

Special commission to erect a monument on the Bennington battlefield in state of New York.

Resolved, That a special commission, to consist of three persons to be appointed by the governor with the advice and consent of the council, is hereby established for the purpose of causing to be erected a monument or other memorial subject to the approval of the governor and council on the Bennington battlefield on Woloomsac heights in the state of New York, and to cause to be attached to said monument or memorial a tablet commemorating the notable participation of the patriots of Massachusetts in the battle of

Bennington. For such purposes, the said commission may expend, after an appropriation has been made, a sum not exceeding eight hundred dollars. Chapter nine of the resolves of the year nineteen hundred and thirty is hereby repealed. Expenditure. Repeal.

Approved May 4, 1931.

Resolve continuing appropriations heretofore made for the establishment and maintenance of the Massachusetts war memorial at St. Mihiel, France. *Chap.* 12

Resolved, That the special commission established by chapter forty-three of the resolves of nineteen hundred and twenty-seven to construct, establish and maintain a memorial in St. Mihiel, France to the men and women of Massachusetts who were killed in action or died as a result of wounds sustained or sickness acquired in France during the world war may expend for the purposes of said chapter any unexpended balances of amounts heretofore appropriated therefor as if reappropriated by the general appropriation act of the current year. Appropriations heretofore made for establishment, etc., of Massachusetts war memorial at St. Mihiel, France, continued.

Approved May 5, 1931.

Resolve providing for the reimbursement of the town of Canton for money expended in the care and treatment of certain tubercular patients. *Chap.* 13

Resolved, That the department of public health is hereby authorized to approve the payment to the town of Canton, out of the appropriation made by item five hundred and sixty-four of chapter two hundred and forty-five of the acts of the current year, the sum of nineteen hundred forty-one dollars and forty-one cents, as reimbursement to said town for money expended for the care and treatment of certain tubercular patients at the Norfolk county sanatorium. Reimbursement of town of Canton for money expended in care and treatment of certain tubercular patients.

Approved May 7, 1931.

Resolve providing for an investigation by the armory commissioners relative to the construction of a new state armory in the city of Lawrence. *Chap.* 14

Resolved, That the armory commissioners are hereby directed to investigate relative to the desirability, necessity and expediency of the construction by the commonwealth in the city of Lawrence of a new state armory for the use of the militia, to replace the existing state armory therein, and to the location and probable cost of such new state armory, including the cost of acquiring such land as may be necessary. Said commissioners are hereby further directed to report to the general court their conclusions and recommendations, if any, with drafts of legislation necessary to carry such recommendations into effect, by filing the same with the clerk of the senate not later than the first Wednesday of December in the current year. Investigation as to construction of a new state armory in city of Lawrence. Report to general court, etc.

Approved May 7, 1931.

Chap. 15 RESOLVE PROVIDING FOR AN INVESTIGATION RELATIVE TO THE LAYING OUT AND CONSTRUCTION OF A NON-STOP THROUGH WAY, CONNECTING THE TOWN OF NAHANT AND THE CITY OF LYNN, OVER THE AREA HERETOFORE OCCUPIED BY THE ROADBED AND TRACKS OF THE NAHANT AND LYNN STREET RAILWAY COMPANY.

Investigation as to laying out and construction of a non-stop through way connecting town of Nahant and city of Lynn, etc.

Resolved, That the metropolitan district commission be hereby authorized and directed to investigate as to the feasibility, expediency and cost of constructing, over the area heretofore occupied by the roadbed and tracks of the defunct Nahant and Lynn Street Railway Company, a through way for the accommodation of non-stop vehicular traffic between the town of Nahant and the city of Lynn, substantially parallel with the existing metropolitan boulevard and so constructed as to be entered only at its termini in said city and said town. The commission shall make a survey of said proposed way and shall include in its report estimates of the expense involved and the most appropriate methods of apportioning the same. The commission shall report to the general court its estimates and recommendations, if any, by filing the same, with drafts of legislation necessary to carry such recommendations into effect, with the clerk of the senate on or before the first Wednesday of December in the current year. *Approved May 12, 1931.*

Report to general court, etc.

Chap. 16 RESOLVE PROVIDING FOR THE COMPILING, PRINTING AND DISTRIBUTION OF THE LAWS OF THE COMMONWEALTH RELATING TO VETERANS AND THEIR ORGANIZATIONS.

Compiling, printing and distribution of laws of commonwealth relating to veterans and their organizations.

Resolved, That the state secretary shall cause the laws of the commonwealth, including those enacted in the current year, relating to veterans, and to their organizations, to be compiled, indexed and annotated, and shall cause to be printed in pamphlet form an edition of not more than fifteen thousand copies of such compilation, and shall distribute them as follows: To such free public libraries of the commonwealth as the state secretary shall designate, to such other free public libraries as shall make written application therefor, to each post, camp or other organization of such veterans within the commonwealth, and to the national headquarters of such organizations, one copy each; to the headquarters of the Massachusetts Department of the Grand Army of the Republic, The American Legion, the United Spanish War Veterans and the Veterans of Foreign Wars of the United States, not exceeding one hundred copies each. The remaining copies shall be distributed by the state secretary in the manner provided for the distribution of public documents. To carry out the provisions of this resolve, the state secretary may expend such amount, not exceeding six hundred and fifty dollars, as the general court may appropriate. *Approved May 12, 1931.*

Expenditure.

Resolve extending the time for filing the report of the department of public welfare upon its investigation and survey to ascertain the number of crippled children in the commonwealth who are not receiving the benefit of treatment at the Massachusetts hospital school. *Chap.* 17

Resolved, That the time within which the department of public welfare is required by the paragraph next following item five hundred and fifty-eight of chapter four hundred and twenty-six of the acts of nineteen hundred and thirty to file the report upon its investigation and survey to ascertain the number of crippled children in the commonwealth who are not receiving the benefit of treatment at the Massachusetts hospital school, is hereby extended to the first Wednesday in June of the current year.

Time for filing report of investigation, etc., to ascertain number of crippled children in state who are not receiving benefit of treatment at Massachusetts hospital school, extended.

Approved May 16, 1931.

Resolve providing for an investigation relative to the construction by the Metropolitan District Commission of a bridge, with suitable approaches, over the Charles river, at Purgatory cove, so called, in the city of Waltham. *Chap.* 18

Resolved, That the metropolitan district commission be directed to inquire into the subject matter of current senate document numbered one hundred and twenty-five, relative to the construction of a bridge, with suitable approaches, over the Charles river at Purgatory cove, so called, in the city of Waltham. Said commission shall report to the general court its findings and recommendations, and estimates of cost, together with drafts of legislation necessary to carry such recommendations into effect, by filing the same with the clerk of the senate not later than the first Wednesday of December in the current year, and shall, at the same time, file a copy thereof with the budget commissioner.

Investigation as to construction of a bridge over Charles river at Purgatory cove in city of Waltham.

Report to general court, etc.

Approved May 16, 1931.

Resolve providing for an investigation by the Metropolitan District Commission relative to establishing a park on land adjacent to the Wachusett dam in the town of Clinton. *Chap.* 19

Resolved, That the metropolitan district commission is hereby directed to consider the subject matter of current senate document numbered two hundred and ten, relative to establishing a park on land adjacent to the Wachusett dam in the town of Clinton, said park to include an area for the parking of motor vehicles and a comfort station. Said commission shall report to the general court the results of its investigation hereunder, and such further information and such recommendations relative to the subject matter aforesaid as it deems necessary or advisable, together with

Investigation as to establishing a park on land adjacent to Wachusett dam in town of Clinton.

Report to general court, etc.

estimates of cost of any action recommended and drafts of legislation necessary to carry any recommendations into effect, by filing the same with the clerk of the senate on or before December first in the current year, and shall file, at the same time, a copy of said report with the budget commissioner. *Approved May 16, 1931.*

Chap. 20 RESOLVE PROVIDING FOR AN INVESTIGATION RELATIVE TO IMPROVING THE CONDITION OF THE CHARLES RIVER IN THE CITIES OF WALTHAM AND NEWTON AND THE TOWNS OF WESTON AND WATERTOWN.

Investigation relative to improving the condition of the Charles river in cities of Waltham and Newton and towns of Weston and Watertown.

Resolved, That the metropolitan district commission and the state department of public health, acting as a joint board, are hereby authorized and directed to investigate the conditions affecting the flow of water in the Charles river in that portion of its course lying between Charles River Village and the head of the Charles River Basin at Watertown, and the amounts of water withdrawn or diverted therefrom, to determine whether and to what extent the public health, comfort and convenience are affected by the diversion of water from said river and its watershed and by present methods and practices of holding, drawing, using and diverting the water at the various dams within the limits mentioned herein, and to recommend methods for removing any objectionable conditions that may be found to exist, especially in the section of said river within the limits of Weston, Newton, Waltham and Watertown. The said board may employ such engineering and other assistants as it may deem necessary to carry out the purposes of this resolve and may, subject to the approval of the governor and council, fix the compensation of such assistants. Offices and positions created under authority of this resolve shall not be subject to classification under sections forty-five to fifty, inclusive, of chapter thirty of the General Laws; nor shall chapter thirty-one of the General Laws, or the rules and regulations made thereunder, apply to such assistants, but upon request of said board the division of civil service shall hold special examinations of candidates for such offices and positions.

Engineering and other assistants, etc.

Said board may expend, for the purposes of this resolve, such sum, not exceeding, in the aggregate, seven thousand five hundred dollars, as may be appropriated by the general court, the same to be assessed upon the cities and towns of the metropolitan parks district in proportion to their respective taxable valuations, as defined in section fifty-nine of chapter ninety-two of the General Laws.

Expenditure.

Said board shall report to the general court the results of its investigation and its recommendations, if any, with plans and estimates of the cost of any works or improvements that it may recommend, together with drafts of legislation necessary to carry such recommendations into effect, by filing the same with the clerk of the house of representatives on or

Report to general court, etc.

before the first Wednesday in December in the current year, and shall at the same time file a copy of said report with the budget commissioner. *Approved May 16, 1931.*

RESOLVE ESTABLISHING A SPECIAL COMMISSION TO CONTINUE A STUDY AND INVESTIGATION RELATIVE TO A CERTAIN ADDITIONAL FITTING MEMORIAL TO THE MEN AND WOMEN OF MASSACHUSETTS WHO SERVED IN ALL WARS IN WHICH MASSACHUSETTS HAS PARTICIPATED. *Chap.* 21

Resolved, That a special unpaid commission, consisting of one member of the senate to be designated by the president thereof, three members of the house of representatives to be designated by the speaker thereof, and three persons to be appointed by the governor, with the advice and consent of the council, shall continue the study and investigation relative to a certain additional fitting memorial to the men and women of Massachusetts who served in all wars in which Massachusetts has participated, heretofore conducted under sections three, four and five of chapter four hundred and eleven of the acts of nineteen hundred and thirty. Said commission shall report to the general court its findings and recommendations, together with drafts of legislation necessary to carry its recommendations into effect, by filing the same with the clerk of the house of representatives on or before December first in the current year, and at the same time shall file a copy thereof with the budget commissioner.

Special commission to continue study, etc., relative to a certain additional fitting memorial to men and women of Massachusetts who served in all wars, etc.

Report to general court, etc.

For the purpose of securing a design for said memorial by means of conducting a competition among architects of Massachusetts, and for such traveling and other expenses, including expert, clerical and other assistance, as may be deemed necessary, subject to the approval of the governor and council, the commission may expend such sum, not exceeding five thousand dollars, as the general court may hereafter appropriate, in addition to the unexpended balance of the amount appropriated by item one hundred and fifty-eight bb of chapter four hundred and twenty-six of the acts of nineteen hundred and thirty.

Expenditure.

Approved May 16, 1931.

RESOLVE IN FAVOR OF WILLIAM H. BREEN OF BOSTON. *Chap.* 22

Resolved, That, for the purpose of discharging a moral obligation, and after an appropriation has been made therefor, there be allowed and paid out of the treasury of the commonwealth to William H. Breen, of Boston, the sum of three hundred and ninety-three dollars and eleven cents to compensate him for damages to his property located on Rutherford avenue in the Charlestown district of the city of Boston near the state prison, caused by the entrance thereon of police officers and firemen for the purpose of preventing an anticipated riot in the vicinity of said prison.

Payment in favor of William H. Breen of Boston.

Approved May 21, 1931.

Chap. 23 RESOLVE PROVIDING FOR THE PUBLICATION OF A COLLECTION OF THE ILLUSTRATIONS APPEARING IN THE REPORT ON THE BIRDS OF THE COMMONWEALTH.

Publication and distribution of a collection of illustrations appearing in report on birds of commonwealth.

Resolved, That the department of agriculture is hereby authorized to prepare for publication a collection of the illustrations appearing in the three volumes of the report on the birds of the commonwealth authorized by chapter five of the resolves of nineteen hundred and twenty-one, and to cause to be printed an edition of ten thousand copies of said collection, to be distributed as follows: — One copy to each free public library in the commonwealth, one copy to each county agricultural school, one copy to the library of the Massachusetts state college, fifty copies to the state library for the use of the library and for exchange, sixty copies to the director of the division of ornithology for distribution among scientists, and the remaining copies to be sold under the direction of the state secretary at a price not less than the cost thereof. For the aforesaid purposes there may be allowed and paid out of the treasury of the commonwealth such sum, not exceeding fourteen thousand five hundred dollars as may hereafter be appropriated.

Expenditure.

Approved May 22, 1931.

Chap. 24 RESOLVE PROVIDING FOR AN INVESTIGATION BY THE METROPOLITAN DISTRICT COMMISSION AS TO THE ADVISABILITY, EXPEDIENCY AND COST OF DEVELOPING, FOR RECREATIONAL OR PARK PURPOSES, CERTAIN LAND NOW UNDER ITS CONTROL IN THE CITIES OF CHELSEA AND REVERE.

Investigation as to advisability, etc., of developing, for recreational or park purposes, certain land in cities of Chelsea and Revere.

Resolved, That the metropolitan district commission be authorized and directed to investigate as to the advisability, expediency and cost of developing, improving and maintaining for recreational or park purposes a certain tract of land now under its control in the cities of Chelsea and Revere; said land being bounded by the Revere Beach parkway, Broadway, the Snake river and Webster avenue. Particular consideration shall be given to the practicability and cost of establishing a golf course on said land. Said commission shall report to the general court by filing with the clerk of the house of representatives, not later than October fifteenth in the current year, the results of its investigation, together with a copy of plans, estimates of cost and recommendations, if any, and drafts of legislation to carry such recommendations into effect, and shall at the same time file a copy thereof with the budget commissioner. If said commission should deem it inadvisable to develop and improve said land for recreational or park purposes, said commission shall, in its report as aforesaid, state its opinion as to the advisability and expediency of selling said land.

Report to general court, etc.

Approved May 22, 1931.

Resolve providing for the printing and distribution of additional copies of Massachusetts Bay Colony Tercentenary publications entitled "Massachusetts on the Sea" and "Pathways of the Puritans". *Chap. 25*

Resolved, That there may be expended, under the direction of the governor and council, a sum not exceeding fifty-six hundred dollars for the printing of additional copies of the publications of the Massachusetts Bay Colony Tercentenary Commission entitled "Massachusetts on the Sea" and "Pathways of the Puritans". Said additional copies shall be apportioned by the state secretary among the members of the general court for distribution by such members. For the purposes of this resolve, the balance of the appropriation made by item one hundred and eighty-four of chapter one hundred and fifteen of the acts of nineteen hundred and thirty is hereby made available.

Printing and distribution of additional copies of certain publications of Massachusetts Bay Colony Tercentenary Commission, etc.

Approved May 22, 1931.

Resolve in favor of Charles W. McGrady. *Chap. 26*

Resolved, That, for the purpose of discharging the moral obligation of the commonwealth in the premises, there be allowed and paid out of the appropriation of the metropolitan district commission for the current year, the sum of two hundred fifty-nine dollars and fifty cents to Charles W. McGrady, to reimburse him for expenses of hospital and medical care necessarily incurred by him on account of injuries sustained on August eighth, nineteen hundred and thirty, while in the performance of his duties as a junior engineering aide in the employ of said commission.

Payment in favor of Charles W. McGrady.

Approved May 26, 1931.

Resolve providing for an investigation by a special commission relative to the advisability of participation by the commonwealth in the world's fair to be held in Chicago, Illinois, in the year nineteen hundred and thirty-three. *Chap. 27*

Resolved, That an unpaid special commission, to consist of one member of the senate to be designated by the president thereof, two members of the house of representatives to be designated by the speaker thereof, and one person to be appointed by the governor, shall investigate as to the advisability of participation by the commonwealth in the World's Fair, entitled "A Century of Progress", to be held in the city of Chicago, Illinois, in the year nineteen hundred and thirty-three, and, if such participation is deemed advisable, as to the character and type thereof. Said commission may expend, after an appropriation has been made, for clerical and other services and expenses, such sums, not exceeding one thousand dollars, as may be approved by the governor and council. Said commission shall report to the general court the results of its investigation and its recom-

Investigation as to advisability of participation by state in World's Fair to be held in Chicago, Illinois, in year 1933.

Expenditure.

Report to general court, etc.

mendations, if any, together with drafts of legislation necessary for carrying the same into effect, by filing the same with the clerk of the house of representatives on or before December first in the current year.

Approved May 26, 1931.

Chap. 28 RESOLVE RELATIVE TO THE APPROPRIATE OBSERVANCE ON THE PART OF THE COMMONWEALTH OF THE BICENTENARY OF THE BIRTH OF GEORGE WASHINGTON.

Appropriate observance on part of commonwealth of bicentenary of birth of George Washington.

Resolved, That the George Washington Bicentennial Commission, established by chapter sixty-two of the resolves of nineteen hundred and thirty, is hereby authorized to expend, subject to the approval of the governor and council, such sums, not exceeding, in the aggregate, ten thousand dollars, as may be appropriated by the general court, for the purposes of formulating and executing a program of appropriate observance throughout the commonwealth of the bicentenary of the birth of George Washington.

Approved May 26, 1931.

Chap. 29 RESOLVE PROVIDING FOR A SPECIAL COMMISSION TO REVISE AND RECODIFY THE LAWS RELATING TO CO-OPERATIVE BANKS.

Special commission to revise and recodify the laws relating to co-operative banks.

Resolved, That a special unpaid commission, to consist of one member of the senate, to be designated by the president thereof, three members of the house of representatives, to be designated by the speaker thereof, and three persons to be appointed by the governor two of whom shall be persons connected with co-operative banks, is hereby established for the purpose of investigating the operation of the laws relating to such banks, with a view to recommending such changes in such laws and such additions thereto as may be deemed advisable. The commission is hereby further directed to investigate the subject matter of current senate documents numbered one hundred and seventy-nine, one hundred and eighty, one hundred and eighty-two, one hundred and eighty-four to one hundred and eighty-nine, inclusive, and one hundred and ninety-one, and to make such recommendations in relation thereto as it may consider expedient. The commission shall be provided with quarters in the state house, shall hold hearings and may expend for clerical, expert and other expenses, from such amount, not exceeding fifteen hundred dollars, as may be appropriated by the general court, such sums as the governor and council may approve. The commission shall report the results of its investigation and its recommendations, with drafts of such legislation as may be necessary to give effect to the same, including, if found advisable, an entire recodification of the laws relative to co-operative banks, by filing the same with the clerk of the senate not later than the first Wednesday in December in the current year.

Quarters in state house, etc.

Expenditure.

Report to be filed with clerk of senate, etc.

Approved May 26, 1931.

Resolve providing for the continuation of the work of investigating certain proposed changes in the tax laws of the commonwealth and other matters related thereto. *Chap.* 30

Resolved, That an unpaid special commission, hereinafter called the commission, consisting of one member of the senate to be designated by the president thereof, three members of the house of representatives to be designated by the speaker thereof, and three persons to be appointed by the governor, shall continue the investigation and study of the general subject of state, county and local taxation, and particularly the subject matter of house document numbered thirteen hundred and twenty-four of nineteen hundred and thirty, and the proposed changes in the tax laws embodied therein. The commission shall also consider such changes in said laws as might better and more equitably distribute the burden of taxation among the several available sources of revenue. The commission shall hold hearings, and may call upon the commissioner of corporations and taxation and other departments, commissions and officers of the commonwealth and of the several counties and municipalities for such information as may be needed in the course of its investigation. The commission may expend for expert, clerical and other services and expenses such sums, not exceeding three thousand dollars, in the aggregate, as may hereafter be appropriated, and shall make a report to the general court by filing the same with the clerk of the house of representatives not later than the first Wednesday in December in the current year, together with drafts of legislation necessary to carry its recommendations into effect.

Special commission to continue work of investigating certain proposed changes in tax laws of state, etc.

Hearings, etc.

Expenditure.

Report to general court, etc.

Approved May 26, 1931.

Resolve establishing a special commission to study and revise the law relative to zoning, town planning and the regulation of billboards and other advertising devices. *Chap.* 31

Resolved, That an unpaid special commission, to consist of one member of the senate to be designated by the president thereof, three members of the house of representatives to be designated by the speaker thereof and three persons to be appointed by the governor, shall make a survey and study of the laws of the commonwealth relative to zoning and town planning and also those relative to the regulation of billboards and other advertising devices, with a view to the revision and codification of said laws and to the recommending of such changes therein and additions thereto as may appear necessary or desirable. Said commission shall also consider the subject matter of current senate documents numbered fourteen, two hundred and six and three hundred and thirteen and current house documents numbered eighty-nine, ninety, ninety-one, two hundred and ninety-five, eight

Special commission to study and revise the laws relative to zoning, town planning and the regulation of billboards, etc.

Expenditure.

Report to general court, etc.

hundred and seventy-four, eleven hundred and ninety-three and eleven hundred and ninety-four. Said commission may expend, after an appropriation has been made, for clerical and other services and expenses, such sums, not exceeding twenty-five hundred dollars, as may be approved by the governor and council. Said commission shall report to the general court the result of its investigation and its recommendations, if any, together with drafts of legislation necessary to carry its recommendations into effect, by filing the same with the clerk of the house of representatives not later than the first Wednesday in December in the current year. *Approved May 26, 1931.*

Chap. 32 RESOLVE PROVIDING FOR AN INVESTIGATION BY THE DEPARTMENT OF PUBLIC WORKS RELATIVE TO THE ADVISABILITY OF CONSTRUCTING CERTAIN HIGHWAYS FOR THE PURPOSE OF RELIEVING TRAFFIC.

Investigation as to advisability of constructing certain highways for the purpose of relieving traffic.

Report to general court, etc.

Resolved, That the department of public works is hereby directed to consider the subject matter of current house documents numbers sixteen, one hundred and thirty-one, two hundred and four, four hundred and eighty, four hundred and eighty-three, six hundred and eighty-three and nine hundred and fifty-four and current senate document number five hundred and eleven, relative to the construction of certain proposed state highways and traffic routes and connecting links between existing state highways and to report to the general court the results of such investigation and its recommendations, if any, together with drafts of such legislation as may be necessary to carry such recommendations into effect, by filing the same with the clerk of the house of representatives on or before the first Wednesday of December in the current year.

Approved May 28, 1931.

Chap. 33 RESOLVE IN FAVOR OF THE HEIRS OF ISAAC REINHERTZ.

Payment in favor of heirs of Isaac Reinhertz.

Resolved, That, subject to appropriation, there be allowed and paid from the treasury of the commonwealth, under the direction of the attorney general, to the heirs at law or next of kin of Isaac Reinhertz, who died in the city of Boston in the year nineteen hundred and eighteen, or to their lawful representatives, such sum as may be found by the attorney general to have been paid into said treasury as the balance of the assets belonging to the estate of said Isaac Reinhertz, under the provisions of section ten of chapter one hundred and ninety-four of the General Laws, notwithstanding the expiration of the time limited by said section for the recovery of such sum. *Approved May 29, 1931.*

Resolve providing for an investigation relative to the further care and supervision of certain mentally retarded children in the public schools. *Chap.* 34

Resolved, That the commissioner of education and the commissioner of mental diseases, acting jointly, are hereby authorized and directed to investigate relative to the expediency and feasibility of establishing, in connection with the public school systems of the several cities and towns within the commonwealth, facilities for the supervision, outside of school hours, of mentally defective and retarded children attending special classes established under section forty-six of chapter seventy-one of the General Laws, and relative to the advisability of establishing facilities for the social supervision of all children under twenty-one years of age who formerly attended said special classes. For the purposes of this resolve, said commissioners may expend such sum, not exceeding twelve thousand dollars, as may hereafter be appropriated. Said commissioners shall report to the general court the results of their investigation and their recommendations, if any, together with drafts of legislation necessary to carry such recommendations into effect, by filing the same with the clerk of the senate on or before the first Wednesday in December in the year nineteen hundred and thirty-two.

Investigation as to further care and supervision of certain mentally retarded children in the public schools.

Expenditure.

Report to general court, etc.

Approved June 2, 1931.

Resolve in favor of the heirs of Domenique Colangelo, also known as Domenico Colangelo. *Chap.* 35

Resolved, That, subject to appropriation, there be allowed and paid from the treasury of the commonwealth, under the direction of the attorney general, to the royal consul general of Italy at Boston, for transmission to the heirs at law or next of kin of Domenique Colangelo, alias Domenico Colangelo, an Italian citizen who died in Attleboro, October seventeenth, nineteen hundred and eighteen, or to their lawful representatives, such sum as may be found by the attorney general to have been paid into said treasury as the balance of the assets belonging to the estate of the said Domenique Colangelo, alias Domenico Colangelo, under the provisions of section ten of chapter one hundred and ninety-four of the General Laws, notwithstanding the expiration of the time limited by said section ten for the recovery of such sum.

Payment in favor of heirs of Domenique Colangelo, also known as Domenico Colangelo.

Approved June 4, 1931.

Resolve in favor of Dennis C. A. Galarneau of Springfield. *Chap.* 36

Resolved, That, for the purpose of discharging the moral obligation of the commonwealth in the premises and after an appropriation has been made therefor, there be allowed and paid out of the treasury of the commonwealth to Dennis C. A. Galarneau of Springfield a sum not exceeding eighty-three dollars and twenty cents to reimburse him for money

Payment in favor of Dennis C. A. Galarneau of Springfield.

expended in settlement of a claim against him on account of damage to the automobile of another received in a collision in September, nineteen hundred and twenty-nine, between said automobile and an automobile owned by the commonwealth and operated by said Galarneau in the performance of his official duties as a forester of the department of conservation. *Approved June 4, 1931.*

Chap. 37 RESOLVE PROVIDING FOR AN INVESTIGATION BY THE DIVISION OF METROPOLITAN PLANNING RELATIVE TO THE ADVISABILITY OF EXTENDING THE CAMBRIDGE SUBWAY TO THE TOWN OF ARLINGTON, AND THE RAPID TRANSIT SYSTEM OF THE BOSTON ELEVATED RAILWAY COMPANY FROM LECHMERE SQUARE IN THE CITY OF CAMBRIDGE TO DAVIS SQUARE IN THE CITY OF SOMERVILLE.

Investigation as to advisability of extending the Cambridge subway to town of Arlington, etc.

Report to general court, etc.

Resolved, That the division of metropolitan planning of the metropolitan district commission is hereby authorized and directed to investigate the advisability of extending the Cambridge subway to the town of Arlington and the extension of the rapid transit lines of the Boston Elevated Railway Company from Lechmere square in the city of Cambridge to Davis square in the city of Somerville. Said division shall report to the general court the results of its investigation, including estimates of cost, and also its recommendations, if any, together with drafts of such legislation as may be necessary to carry its recommendations into effect, by filing the same with the clerk of the house of representatives on or before the first Wednesday in December of the current year. *Approved June 4, 1931.*

Chap. 38 RESOLVE PROVIDING FOR AN INVESTIGATION BY THE DEPARTMENT OF PUBLIC WORKS RELATIVE TO THE CONSTRUCTION AND IMPROVEMENT OF CERTAIN HIGHWAYS WITHIN AND NEAR THE METROPOLITAN PARKS DISTRICT.

Investigation as to the construction and improvement of certain highways within and near the metropolitan parks district.

Resolved, That the department of public works is hereby directed to consider the advisability, feasibility and probable cost of improving highway conditions by the construction of highways as follows: —

(1) A highway extending from the Southern Artery near Edison street in the city of Quincy easterly to Washington street near the westerly approach of the Fore River bridge;

(2) A highway extending from the Alewife Brook parkway in the city of Cambridge, south of the point where said parkway crosses the former Lexington branch of the Boston and Maine railroad at grade, over private and public lands in said city of Cambridge and in the towns of Arlington and Belmont, to Lake street in said Arlington near the outlet of Spy pond; thence westerly along said Lake street to and crossing Pleasant street in said Belmont; thence over private lands and existing public ways in said Arlington and Belmont and the town of Lexington to Concord avenue near its

junction with Pleasant street in said Lexington; thence over the existing location of Concord avenue, so far as practicable, to the town of Concord.

Said department shall report to the general court its findings and its recommendations, if any, together with drafts of legislation necessary to carry such recommendations into effect, by filing the same with the clerk of the senate on or before December first in the current year, and shall at the same time file a copy of said report with the budget commissioner. *Approved June 4, 1931.*

Report to general court, etc.

Copy to budget commissioner.

RESOLVE PROVIDING FOR AN INVESTIGATION BY THE METROPOLITAN DISTRICT COMMISSION AS TO THE FEASIBILITY AND PROBABLE COST OF THE CONSTRUCTION OF A PUBLIC GOLF COURSE IN OR ADJACENT TO THE MIDDLESEX FELLS RESERVATION. *Chap.* 39

Resolved, That the metropolitan district commission is hereby authorized and directed to investigate the feasibility and probable cost of the construction of a public golf course in or adjacent to the Middlesex Fells reservation. Said commission shall include in its estimate of cost the probable purchase price of any lands outside of said reservation which may be necessary therefor. Said commission shall report to the general court the results of its investigation and its recommendations, if any, together with drafts of legislation necessary to carry such recommendations into effect, by filing the same with the clerk of the house of representatives on or before the first Wednesday of December in the current year. *Approved June 4, 1931.*

Investigation as to feasibility and cost of construction of a public golf course in or adjacent to Middlesex Fells reservation.

Report to general court, etc.

RESOLVE PROVIDING FOR AN INVESTIGATION RELATIVE TO THE CHARLES RIVER VALLEY SEWER OF THE SOUTH METROPOLITAN SEWERAGE DISTRICT. *Chap.* 40

Resolved, That the department of public health and the metropolitan district commission, acting as a joint board, are hereby authorized and directed to investigate the matter of increasing the capacity of the Charles River valley sewer of the south metropolitan sewerage district and constructing such other works as may be necessary to adequately accommodate the sewage from the town of Watertown and other communities with the view to eliminating the overflow of sewage into the Charles river in or near said Watertown. Said board shall determine the capacity of the said sewer, and any sewer tributary to it, and the adequacy thereof for carrying off all sewage and industrial wastes produced within the territory tributary to said sewers. Said board may enter the premises of any person or corporation served by said sewers for the purpose of making an examination of the amount and character of sewage and waste discharged therefrom, and it shall have access to all plans and maps of sewers and records of quantities of sewage and wastes on

Investigation relative to the Charles River valley sewer of the south metropolitan sewerage district, etc.

Report to general court, etc.

Expenditure.

file in the offices of the municipalities served by said sewers. Said board shall report to the general court its findings and its recommendations, if any, by filing the same with the clerk of the house of representatives on or before December first in the current year, and, for the purposes of this resolve, the board may expend such sum, not exceeding five thousand dollars, as may hereafter be appropriated, and such sum shall be assessed on the cities and towns of the metropolitan sewerage district, south system, as a part of the cost of maintenance and operation of said south system.

Approved June 4, 1931.

Chap. 41 RESOLVE PROVIDING FOR A SURVEY AND REVISION BY A SPECIAL COMMISSION OF THE LAWS RELATIVE TO SAVINGS BANKS.

Survey and revision by a special commission of the laws relative to savings banks.

Resolved, That a special commission, to consist of one member of the senate to be designated by the president thereof, three members of the house of representatives to be designated by the speaker thereof and three persons to be appointed by the governor shall make a survey and study of the laws of the commonwealth relating to savings banks, with a view to the revision of said laws, and the making of such other changes therein as they may deem advisable.

Hearings.

Expenditure.

Said commission shall hold hearings, shall be provided with quarters in the state house and may expend for legal, clerical and other services such sums, not exceeding, in the aggregate, fifteen hundred dollars, as may hereafter be appropriated.

Report to general court, etc.

Said commission shall make a report to the general court by filing its recommendations with the clerk of the house of representatives not later than December first in the current year, with drafts of such legislation as may be necessary to effect the same.

Approved June 4, 1931.

Chap. 42 RESOLVE PROVIDING FOR THE CONTINUATION OF THE SURVEY AND REVISION OF THE LAWS OF THE COMMONWEALTH RELATING TO MARINE FISH AND FISHERIES, INCLUDING SHELLFISH, BY AN UNPAID SPECIAL COMMISSION.

Special commission to continue survey and revision of laws of commonwealth relating to marine fish and fisheries, including shellfish.

Resolved, That a special commission, to consist of one member of the senate to be designated by the president thereof, two members of the house of representatives to be designated by the speaker thereof, two persons to be appointed by the governor, the attorney general or an assistant attorney general to be designated by the attorney general, and either the state supervisor of marine fisheries or some other representative of the division of fisheries and game as designated by the director of said division, shall continue the survey and study of the laws of the commonwealth relating to marine fish and fisheries, including shellfish, heretofore conducted under chapter twenty-eight of the resolves of nineteen hundred and thirty, with a view to the revision, codification and simplification of said laws, and the making

of any other improvements therein that may seem advisable. Said commission shall hold hearings and may call upon officers of the department of conservation and other state officers and officers of the several counties and municipalities for such information as may be needed in the course of its work. Said commission shall be provided with headquarters in the state house or elsewhere and may expend for expert, clerical and other services such sums, not exceeding, in the aggregate, two thousand dollars, as may hereafter be appropriated. Said commission shall make a report to the general court by filing its recommendations with the clerk of the house of representatives not later than December first in the current year, with drafts of such legislation as may be necessary to effect the same. *Approved June 5, 1931.*

Hearings, etc.

Expenditure.

Report to general court, etc.

RESOLVE PROVIDING FOR THE REPRESENTATION OF THE COMMONWEALTH AT THE YORKTOWN SESQUICENTENNIAL CELEBRATION AT YORKTOWN, VIRGINIA, IN THE CURRENT YEAR. *Chap.* 43

Resolved, That an unpaid special commission, to consist of one member of the senate to be designated by the president thereof, two members of the house of representatives to be designated by the speaker thereof, and two persons to be appointed by the governor, is hereby authorized to represent the commonwealth at the sesquicentennial celebration of the surrender of the British army under Cornwallis to the American army under Washington, to be held at Yorktown, Virginia in October of the current year. For the purposes of this resolve, said commission may expend, with the approval of the governor and council, such sums, not exceeding twenty-five hundred dollars, as may hereafter be appropriated.

Approved June 5, 1931.

Special commission to represent commonwealth at Yorktown sesquicentennial celebration, etc.

Expenditure.

RESOLVE IN FAVOR OF JOSEPH MARTIN OF FALMOUTH. *Chap.* 44

Resolved, That, after an appropriation has been made, there be allowed and paid out of the treasury of the commonwealth to Joseph Martin of Falmouth the sum of thirty-five hundred and fifty-nine dollars and ninety-four cents in full compensation for all damages sustained by him by reason of being struck on June first, nineteen hundred and twenty-nine by a motor vehicle owned by the commonwealth and operated by an employee of the state department of public works.

Approved, June 8, 1931.

Payment in favor of Joseph Martin of Falmouth.

RESOLVE IN FAVOR OF PETER DEMOUGE OF PITTSFIELD. *Chap.* 45

Resolved, That, for the purpose of discharging the moral obligation of the commonwealth in the premises and after an appropriation has been made, there be allowed and paid out of the treasury of the commonwealth to Peter DeMouge of Pittsfield the sum of two hundred and forty-six dollars and forty-five cents, to compensate him for damages to his automobile caused by a wild deer on a public highway.

Approved June 8, 1931.

Payment in favor of Peter DeMouge of Pittsfield.

Chap. 46 RESOLVE IN FAVOR OF WILLIAM H. SEAMAN OF FALL RIVER.

Payment in favor of William H. Seaman of Fall River.

Resolved, That, for the purpose of discharging the moral obligation of the commonwealth in the premises and after an appropriation has been made therefor, there be allowed and paid out of the treasury of the commonwealth to William H. Seaman of Fall River such sum, not exceeding fifty dollars, as may be approved by the governor and council, to reimburse him for expenses incurred for legal services in connection with legal proceedings arising out of an accident on May seventh, nineteen hundred and twenty-eight, in which was involved a motor vehicle owned by the commonwealth and operated by said Seaman in the performance of his duties as an employee of the department of conservation.

Approved June 8, 1931.

Chap. 47 RESOLVE VALIDATING THE ACTS OF MARY F. HANNIGAN OF FITCHBURG AS A JUSTICE OF THE PEACE.

Acts of Mary F. Hannigan as a justice of the peace validated.

Resolved, That the acts of Mary F. Hannigan of Fitchburg as a justice of the peace, between May fourteenth, nineteen hundred and twenty-four and May twenty-first, nineteen hundred and thirty-one, both dates inclusive, are hereby confirmed and made valid to the same extent as if during that time she had been qualified to discharge the duties of said office.

Approved June 9, 1931.

Chap. 48 RESOLVE IN FAVOR OF JOHN GALLERANI OF WEST SPRINGFIELD.

Payment in favor of John Gallerani of West Springfield.

Resolved, That, for the purpose of promoting the public good, and after an appropriation has been made, there be allowed and paid out of the treasury of the commonwealth to John Gallerani of West Springfield the sum of four hundred and fifty dollars to reimburse him for damages caused to property owned by him in the town of Ashfield by the acts of wards of the commonwealth who had been placed at board in said town of Ashfield for the department of public welfare. Said payment shall be in full satisfaction of all claims against the commonwealth for said damages.

Approved June 9, 1931.

Chap. 49 RESOLVE PROVIDING FOR AN INVESTIGATION BY A SPECIAL COMMISSION RELATIVE TO THE LAWS OF THE COMMONWEALTH PERTAINING TO THE INSPECTION OF DAIRY FARMS PRODUCING MILK AND CREAM FOR DISTRIBUTION IN THE COMMONWEALTH.

Investigation as to laws of commonwealth pertaining to inspection of dairy farms producing milk and cream for distribution in state.

Resolved, That an unpaid special commission, to consist of one member of the senate to be designated by the president thereof, three members of the house of representatives to be designated by the speaker thereof, and three persons to be appointed by the governor, is hereby established for the purpose of making a thorough study and investigation relative

to the enforcement and adequacy of the laws of the commonwealth relating to the inspection of dairy farms producing milk and cream for distribution in the commonwealth, and of recommending such changes in said laws or such additions thereto as it may deem advisable. Said commission shall be provided with quarters in the state house or elsewhere, may hold hearings and shall avail itself of the services of the regular clerical staff of the department of agriculture for such clerical assistance as it may need in the course of its investigation. Said commission may expend for travel and other necessary expenses incurred by its members in the discharge of their duties hereunder such sums, not exceeding in the aggregate fifteen hundred dollars, as may hereafter be appropriated, and shall report to the general court its findings and its recommendations, if any, together with drafts of legislation necessary to carry such recommendations into effect, by filing the same with the clerk of the senate on or before the first Wednesday of December in the current year.

Hearings, etc.

Expenditure.

Report to general court, etc.

Approved June 9, 1931.

Chap. 50

Resolve providing for an investigation by a special commission relative to the highways, parks and reservations along the Connecticut River and relative to the improvement of said river for navigation purposes.

Resolved, That a special unpaid commission, to be known as the Connecticut Valley Regional Planning Commission, and to consist of one senator to be designated by the president of the senate, three representatives to be designated by the speaker of the house of representatives, and three persons to be appointed by the governor, is hereby established to investigate as to the most appropriate and feasible manner of co-ordinating the present highways, parks and state reservations along the Connecticut river, and their unification into an accessible system with a view to promoting their most beneficial use and enjoyment, and to investigate the matter of the improvement of said Connecticut river for the purposes of navigation, and said commission shall include in its report, hereinafter provided for, all facts concerning the present condition and uses of said river, what investigations, reports, appropriations and expenditures have been made by the United States and by the commonwealth relative to the navigation of said river and the protection of its banks, and what action, if any, should be taken by the commonwealth and the various municipalities bordering on said river or contiguous thereto, either in co-operation with the United States, the state of Connecticut, and the various corporations owning or controlling water rights or privileges on said river, or without such co-operation, to carry into effect such projects as may be recommended for increasing the present facilities of said river for navigation. In connection with said investigations, said commission shall consider the report submitted to the gen-

Investigation by special commission as to highways, parks and reservations along Connecticut river and relative to improvement of said river for navigation purposes.

To consider certain reports, etc.

eral court in the year nineteen hundred and twenty-four by the Connecticut Valley Park Commission, appointed under chapter sixty-nine of the resolves of nineteen hundred and twenty-three, and all the plans and data compiled by said commission, and shall also consider the report submitted to the general court in the year nineteen hundred and thirteen by the Connecticut Valley Waterway Board, appointed under chapter one hundred and forty-nine of the resolves of nineteen hundred and twelve. Said commission may expend, with the approval of the governor and council, for clerical assistance, travel and other expenses, such sums, not exceeding one thousand dollars, as may hereafter be appropriated. It shall report to the general court the results of its investigations, and its recommendations, if any, together with plans and estimates and drafts of legislation necessary to carry such recommendations into effect, by filing the same with the clerk of the house of representatives on or before the first Wednesday of December in the current year.

Expenditure.

Report to general court, etc.

Approved June 9, 1931.

Chap. 51 RESOLVE PROVIDING FOR THE MAKING AND PREPARATION BY THE DEPARTMENT OF PUBLIC WORKS OF SURVEYS, ESTIMATES, PLANS AND SPECIFICATIONS FOR THE CONSTRUCTION OF A NEW BRIDGE OVER THE SAUGUS RIVER BETWEEN THE POINT OF PINES IN THE CITY OF REVERE AND THE CITY OF LYNN.

Department of public works to make surveys, etc., for construction of new bridge over Saugus river, etc.

Resolved, That the department of public works is hereby authorized and directed to make and prepare surveys, estimates of cost, plans and specifications for the construction of a new bridge and approaches thereto over the Saugus river between the Point of Pines in the city of Revere and the city of Lynn to replace a bridge commonly known as the Saugus River bridge, and may expend therefor from the highway fund such sum, not exceeding seventy thousand dollars, as may be hereafter appropriated. Said department shall report to the general court a statement of the estimated cost of the construction of said bridge and approaches and its recommendations, together with drafts of legislation necessary to carry the same into effect, by filing the same with the clerk of the house of representatives on or before the first Wednesday of December in the current year, and shall, at the same time, file a copy thereof with the budget commissioner.

Expenditure.

Report to general court, etc.

Approved June 9, 1931.

Chap. 52 RESOLVE IN FAVOR OF LUCY BLANCHETTE OF HOLYOKE.

Payment in favor of Lucy Blanchette of Holyoke.

Resolved, That, for the purpose of discharging the moral obligation of the commonwealth in the premises and after an appropriation has been made therefor, there be allowed and paid out of the treasury of the commonwealth to Lucy Blanchette of Holyoke the sum of one hundred and seventy dollars to reimburse her for expenses incurred in the burial

of the body of a person who died while an inmate of an institution under the control of the department of correction, wrongly identified by said department and said Lucy Blanchette as the body of her son. *Approved June 9, 1931.*

RESOLVE IN FAVOR OF MARGARET BRENNAN OF PROVIDENCE, RHODE ISLAND. *Chap.* 53

Payment in favor of Margaret Brennan of Providence, Rhode Island.

Resolved, That the industrial accident board, acting on behalf of the commonwealth, is hereby authorized and directed to execute and approve an agreement with Margaret Brennan of Providence, Rhode Island for the payment to her of the lump sum of twenty-five hundred dollars in full settlement of her claim for compensation against the commonwealth under chapter one hundred and fifty-two of the General Laws, arising from injuries sustained by her on April twelfth, nineteen hundred and thirty, while in the performance of her duties as a nurse at the Westborough state hospital, by reason of being attacked by a patient at said hospital. Upon the filing of said agreement with the comptroller, said sum shall be paid to said Margaret Brennan from any appropriation available for the purpose.

Approved June 9, 1931.

RESOLVE PROVIDING FOR A STUDY BY THE DEPARTMENT OF PUBLIC WORKS RELATIVE TO THE CONSTRUCTION OF A BRIDGE OVER THE WEYMOUTH FORE RIVER. *Chap.* 54

Department of public works to make studies and plans for a new bridge over Weymouth Fore river.

Expenditure.

Report to general court, etc.

Resolved, That the department of public works is hereby authorized and directed to make preliminary studies and plans for a new bridge over the Weymouth Fore river to replace what is known as the Fore River bridge, and may expend therefor, from the Highway Fund, such sum not exceeding ten thousand dollars as may be hereafter appropriated. Said department shall report to the general court the estimated cost of a new bridge, and on how early a date the work of construction, as a part of the state highway system, might properly be begun, with due regard to its importance with relation to other projects to be included in the state highway program by filing the same with the clerk of the senate on or before the first Wednesday in December in the current year. *Approved June 9, 1931.*

RESOLVE PROVIDING FOR ADDITIONAL BAND CONCERTS DURING THE CURRENT YEAR IN PLACES UNDER THE CONTROL OF THE METROPOLITAN DISTRICT COMMISSION. *Chap.* 55

Metropolitan district commission may provide additional band concerts, etc.

Expenditure.

Resolved, That the metropolitan district commission is hereby authorized and directed to provide band concerts in such parks, parkways or other places under its control, and at such times during the current year as it may select. For the purposes of this resolve, said commission may expend such

sum, not exceeding ten thousand dollars, as may hereafter be appropriated, the same to be in addition to any other appropriations made for band concerts in places under its control. *Approved June 9, 1931.*

Chap. 56 RESOLVE PROVIDING FOR AN INVESTIGATION BY THE DEPARTMENT OF PUBLIC WORKS RELATIVE TO THE RECONSTRUCTION OF FOX HILL BRIDGE OVER THE SAUGUS RIVER.

Investigation by department of public works as to reconstruction of Fox Hill bridge over Saugus river.

Resolved, That the department of public works be authorized and directed to investigate as to the expediency, desirability and cost of reconstructing the Fox Hill bridge over the Saugus river in the town of Saugus and the city of Lynn in such manner as will render said bridge adequate to accommodate the constantly increasing volume of traffic passing over it, and to a width commensurate with that of the state highway which it serves and with such width of draw that navigation in said river will not be impeded and that the probable future development of such navigation will be anticipated. The department shall also inquire as to whether the said bridge, in view of its serving a main route of travel, should be taken over and maintained by the commonwealth. The department shall hold hearings and shall report to the general court the results of its investigation and its recommendations, if any, together with drafts of legislation necessary to carry such recommendations into effect, by filing the same with the clerk of the house of representatives on or before the first Wednesday in December of the current year, and shall file, at the same time, a copy thereof with the budget commissioner. *Approved June 9, 1931.*

Hearings.

Report to general court, etc.

Chap. 57 RESOLVE AUTHORIZING THE DEPARTMENT OF MENTAL DISEASES TO SELL AND THE COUNTY COMMISSIONERS OF MIDDLESEX COUNTY TO BUY ELECTRICITY FOR THE USE OF THE MIDDLESEX COUNTY TUBERCULOSIS HOSPITAL.

Department of mental diseases may sell and Middlesex county commissioners may buy electricity for use of Middlesex county tuberculosis hospital.

Resolved, That the department of mental diseases is hereby authorized from time to time to contract with the county commissioners of Middlesex county, acting in their capacity as trustees of the Middlesex county tuberculosis hospital, for the sale or re-sale by the department to the commissioners of electricity passing over the electric transmission lines of the commonwealth at its metropolitan state hospital on terms and conditions determined by the department with the approval of the governor and council. The said county commissioners are hereby authorized to contract with the commonwealth for the purchase of electricity on such terms as may be mutually agreed upon and to renew and to amend such contracts, provided that no one contract or renewal thereof shall be for a term exceeding ten years. In case such a contract is entered into, the said commissioners may construct and maintain a line or lines for the transmission of electricity from the metropolitan state hospital and may also install

Proviso.

Commissioners may construct lines for transmission of electricity, etc.

and maintain equipment necessary to connect such lines with the equipment of the commonwealth, provided that the location and construction of such lines and equipment upon or over the property of the commonwealth shall be as determined by the department. The department is also authorized to grant to the commissioners, rights to enter upon the premises of the commonwealth at the metropolitan state hospital so far as may be necessary for the construction and maintenance of their transmission lines and equipment.

Proviso.

Certain rights granted to commissioners, etc.

Approved June 9, 1931.

RESOLVE PROVIDING FOR AN INVESTIGATION BY A SPECIAL COMMISSION RELATIVE TO THE OPERATION OF THE MINIMUM WAGE LAW. *Chap.* 58

Resolved, That a special unpaid commission, to consist of one member of the senate to be designated by the president thereof, three members of the house of representatives to be designated by the speaker thereof and three persons to be appointed by the governor, is hereby established for the purpose of investigating the operation of the minimum wage law. Said commission shall be furnished with rooms in the state house, may employ such clerical and other assistance as it deems necessary and may expend for the purposes of this resolve such sum, not exceeding fifteen hundred dollars, as may be appropriated. Said commission shall report to the general court the results of its investigation and its recommendations, if any, together with drafts of legislation to carry the same into effect, by filing the same with the clerk of the house of representatives on or before the first Wednesday of December in the current year. *Approved June 9, 1931.*

Investigation by special commission as to operation of minimum wage law.

Expenditure.

Report to general court, etc.

RESOLVE PROVIDING FOR AN INVESTIGATION BY A SPECIAL COMMISSION RELATIVE TO THE REGULATION OF SCHOOL BUSES. *Chap.* 59

Resolved, That an unpaid special commission, to consist of one member of the senate to be designated by the president thereof, three members of the house of representatives to be designated by the speaker thereof, and three persons to be appointed by the governor, is hereby established to examine into the subject matter of current senate document numbered four hundred and twenty-three, relative to the regulation of school buses. Said commission shall be furnished with quarters in the state house, may hold public hearings and shall report to the general court the result of its investigations, and its recommendations, if any, together with drafts of legislation necessary to carry such recommendations into effect, by filing the same with the clerk of the senate on or before the first Wednesday of December in the current year. For the purposes of this resolve, including traveling, if necessary, outside the commonwealth, said commission may expend such sums, not exceeding fifteen hundred dollars, as may hereafter be appropriated. *Approved June 10, 1931.*

Investigation by special commission as to regulation of school buses.

Hearings.

Report to general court, etc.

Expenditure.

Chap. 60 RESOLVE PROVIDING FOR AN INVESTIGATION BY A SPECIAL COMMISSION RELATIVE TO REGULATING THE BUSINESS OF TRANSPORTING CERTAIN PROPERTY FOR HIRE UPON THE WAYS OF THE COMMONWEALTH BY MOTOR VEHICLE.

Investigation as to regulating the business of transporting certain property for hire upon ways of commonwealth by motor vehicle.

Resolved, That an unpaid special commission, to consist of one member of the senate to be designated by the president thereof, three members of the house of representatives to be designated by the speaker thereof, and three persons to be appointed by the governor, is hereby established for the purpose of making a thorough study and investigation to determine the necessity or advisability of regulating the business of transporting freight, merchandise and other property for hire upon the public ways of the commonwealth by motor vehicle. The special commission shall consider the subject matter of current house document numbered

Hearings, etc.

seven hundred and ninety-eight. Said special commission shall be provided with quarters in the state house or elsewhere, shall hold hearings, may require by summons the attendance and testimony of witnesses and the production of books and papers, and may administer oaths to witnesses

Expenditure.

appearing before it. The special commission may expend, after an appropriation has been made, for clerical and other services and expenses, such sums, not exceeding, in the aggregate, twenty-five hundred dollars, as may be approved

Report to general court, etc.

by the governor and council. The special commission shall report to the general court the results of its investigations and its recommendations, if any, together with drafts of legislation necessary to carry its recommendations into effect, by filing the same with the clerk of the senate not later than the first Wednesday in December of the current year. *Approved June 10, 1931.*

Chap. 61 RESOLVE VALIDATING THE ACTS OF MARY M. SHEA OF MILTON AS A NOTARY PUBLIC.

Acts of Mary M. Shea as a notary public validated.

Resolved, That the acts of Mary M. Shea of Milton as a notary public, between November nineteenth, nineteen hundred and twenty-four, and June fourth, nineteen hundred and thirty-one, both dates inclusive, are hereby confirmed and made valid to the same extent as if during that time she had been qualified to discharge the duties of said office.

Approved June 10, 1931.

Chap. 62 RESOLVE IN FAVOR OF HERBERT CURTIS SHEPARD OF CONCORD.

Payment in favor of Herbert Curtis Shepard of Concord.

Resolved, That, after an appropriation has been made, there be allowed and paid out of the treasury of the commonwealth from the Highway Fund to Herbert Curtis Shepard of Concord, the sum of three thousand dollars, on account of injuries sustained by him in said town of Concord on April twenty-eighth, nineteen hundred and thirty, by reason of being struck by a motor truck owned by the commonwealth and operated by an employee of the state department of public works. *Approved June 10, 1931.*

RESOLVE AUTHORIZING AND DIRECTING THE ARMORY COMMISSIONERS TO ACQUIRE LAND IN THE CITY OF WESTFIELD FOR ARMORY PURPOSES. *Chap.* 63

Armory commissioners may acquire land in city of Westfield for armory purposes, etc.

Resolved, That, after an appropriation has been made, the armory commissioners are hereby authorized and directed to acquire land known as the Mosely lot on Franklin street in the city of Westfield, at a cost not to exceed nine thousand dollars, with a view to the future erection thereon of a new armory of the first class; and sections forty and forty-one of chapter thirty-three of the General Laws, as inserted by chapter four hundred and sixty-five of the acts of nineteen hundred and twenty-four, shall, so far as applicable, apply to proceedings taken and acts done under authority of this resolve. *Approved June 10, 1931.*

RESOLVE PROVIDING FOR THE APPOINTMENT OF A SPECIAL COMMISSION ON THE STABILIZATION OF EMPLOYMENT AND DEFINING ITS FUNCTIONS. *Chap.* 64

Special commission on the stabilization of employment, establishment, functions.

Resolved, That an unpaid special commission, to consist of five or more persons to be appointed by the governor, by and with the consent of the council, and to be known as the special commission on the stabilization of employment, is hereby established. One of the members shall be designated by the governor as chairman. Said commission shall collect and publish for the benefit of employers and employees in Massachusetts information on methods of regularization and stabilization of business and employment, and shall further make such studies within the spirit of this resolve as may be helpful in promoting steadier employment for wage earners in Massachusetts. Said commission shall be furnished with quarters in the state house, or elsewhere, and may expend for expert, clerical and other assistance, from such appropriation as may hereafter be made, such sums, not exceeding, in the aggregate, thirty-five thousand dollars, as the governor and council may approve. Said commission shall make a report of its activities and findings to the general court by filing a preliminary report on or before December first in the current year and a final report on or before December first, nineteen hundred and thirty-two. Said reports shall be filed with the clerk of the house of representatives and shall contain the recommendations of the commission, if any, together with drafts of legislation necessary for carrying said recommendations into effect, and said final report shall also contain recommendations of the commission as to the desirability of the further continuance of the work of the commission and the auspices under which such work, if continued, should be undertaken.

Quarters in state house.

Expenditure.

Preliminary and final reports to general court, etc.

Approved June 10, 1931.

Chap. 65 RESOLVE PROVIDING FOR AN INVESTIGATION BY THE TRUSTEES OF THE METROPOLITAN TRANSIT DISTRICT RELATIVE TO THE ADVISABILITY OF EXTENDING THE WASHINGTON STREET TUNNEL IN THE CITY OF BOSTON TO SULLIVAN SQUARE IN THE CHARLESTOWN DISTRICT OF SAID CITY AND REMOVING THE ELEVATED STRUCTURE FROM MAIN STREET IN SAID CHARLESTOWN DISTRICT.

Investigation as to advisability of extending the Washington street tunnel in city of Boston, etc.

Resolved, That the trustees of the metropolitan transit district are hereby authorized and directed to investigate the subject matter of current house document number sixteen hundred and ninety-nine, relative to the extension of the Washington street tunnel in the city of Boston to Sullivan square in the Charlestown district of said city and the removal of the elevated structure from Main street in said Charlestown district. Said investigation shall be made by said trustees and their findings and recommendations in relation thereto shall be submitted in the manner provided by section thirteen of chapter three hundred and eighty-three of the acts of nineteen hundred and twenty-nine.

Approved June 10, 1931.

Chap. 66 RESOLVE PROVIDING FOR AN INVESTIGATION AS TO THE BEST PRACTICABLE METHOD OF DISPOSING OF THE SEWAGE AND OTHER WASTES WITHIN THE WATERSHEDS OF THE QUINAPOXET AND WARE RIVERS IN ORDER TO PREVENT THE POLLUTION OF THE WATER SUPPLIES OF THE CITY OF WORCESTER AND THE METROPOLITAN WATER DISTRICT.

Investigation by certain joint board as to best practicable method of disposing of sewage, etc., within watersheds of Quinapoxet and Ware rivers, etc.

Resolved, That the department of public health and the metropolitan district water supply commission, acting jointly, are hereby authorized and directed to investigate the matter of disposing of the sewage and other wastes within the watershed of the Quinapoxet river, a tributary of the Wachusett reservoir, and within the watershed of the Ware river above the village of Coldbrook, with special reference to the proper disposal of the sewage of contagious disease hospitals or similar institutions within said watersheds, or either of them, and the prevention of the pollution of the water supplies of the city of Worcester and the metropolitan water district.

To consider disposal of industrial wastes, etc.

Said joint board shall, in determining the capacity of any system or systems of sewerage or sewage disposal that it may recommend, consider the question of the disposal of any industrial wastes produced within the area that may be tributary to the said system or systems.

Report to general court, etc.

Said joint board shall report to the general court its recommendations with plans showing the location of any system or systems of sewers or other works which it may recommend, if any, including estimates of the cost thereof, together with drafts of legislation necessary to carry such recommendations into effect, by filing the same with the clerk of the house of representatives on or before the first

Wednesday in December in the current year, and shall at the same time file a copy thereof with the budget commissioner, and for the purposes of this resolve said joint board may expend a sum, not exceeding two thousand dollars, from the funds provided for metropolitan water supply purposes by chapter three hundred and seventy-five of the acts of nineteen hundred and twenty-six, and chapters one hundred and eleven and three hundred and twenty-one of the acts of nineteen hundred and twenty-seven, and any additions thereto or amendments thereof.

Copy to budget commissioner.

Expenditure.

Approved June 10, 1931.

RESOLVE RELATIVE TO THE PREPARATION, PRINTING AND PUBLICATION OF THE NEW TERCENTENARY EDITION OF THE GENERAL LAWS.

Chap. 67

Resolved, That the counsel to the senate and the counsel to the house of representatives, in preparing the new tercentenary edition of the General Laws, as provided by chapter thirty-nine of the resolves of nineteen hundred and twenty-nine and chapter fifty-eight of the resolves of nineteen hundred and thirty, are hereby authorized to make such changes in chapter titles and headings and subheadings in the various chapters of said laws as changes in the text of the General Laws may require; and that they be authorized and directed, notwithstanding any provision of said chapters, to deliver from time to time to the state secretary for printing, as hereinafter provided, copy for said edition as and when prepared by said counsel; and that the report required to be filed by said counsel on the first Wednesday of January, nineteen hundred and thirty-two, be a report of progress, and that their final report to the general court shall be made upon the filing in the office of the state secretary of the copy of said tercentenary edition referred to in said chapter thirty-nine; and be it further

Counsel to senate and counsel to house of representatives may make certain changes in preparation of new tercentenary edition of General Laws, etc.

Report of progress.

Final report, when made.

Resolved, That the state secretary cause to be electrotyped, and printed on such kind of paper as the president of the senate and speaker of the house of representatives may determine, and bound in such number of volumes as the said president and speaker may determine, continuously paged, seventy-five hundred copies of the said tercentenary edition of the General Laws; that he deposit one copy of the same, bound in parchment, in the office of the state secretary and distribute other copies as may hereafter be directed by the general court; that the state secretary cause to be electrotyped, and printed on a kind of paper determined as aforesaid and bound seventy-five hundred copies of the index to said edition of the General Laws, one copy to accompany each copy of said edition, whether distributed or sold; provided, that the electrotype plates of said edition and of said index shall be and remain the property of the common-

Printing of said tercentenary edition, etc.

One copy, bound in parchment, to be deposited in office of state secretary.

Printing of index, etc.

Proviso.

wealth; that copies of said edition and said index may be sold by the state secretary at a price to be fixed by him which shall be not less than the cost thereof; and additional copies may be printed for sale, at the discretion of the state secretary; and that the state secretary be authorized to sell such copies of the General Laws and the index thereto as may remain in his hands subsequent to the time when said edition and the index thereto are ready for distribution as aforesaid, at such price, not exceeding the cost thereof, as he may fix. *Approved June 10, 1931.*

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Thirty-one.

Resolutions making application to congress in accordance with article v of the constitution of the united states to call a constitutional convention to amend or repeal the eighteenth article of amendment or to propose such an amendment for submission to the several states.

Whereas, A condition of widespread dissatisfaction prevails with the workings and results of Article XVIII of the Amendments to the Constitution of the United States; and

Whereas, It is desirable to attempt to improve, clarify or quiet such condition; and

Whereas, The only methods for repealing or modifying said Article XVIII are set forth in Article V of the said Constitution; therefore be it

Resolved, That The General Court of Massachusetts, acting in pursuance of said Article V, hereby requests that Congress call a convention under said article for the purpose of proposing an amendment or amendments to the Constitution amending, modifying, revising or repealing said Article XVIII; or that Congress, acting in pursuance of said Article V, itself propose such an amendment or amendments; and requests that in either case the same be submitted for ratification by conventions in the several States; and be it further

Resolved, That the Secretary of the Commonwealth forward forthwith to the presiding officers of both branches of Congress certified copies of these resolutions, attested by the Clerks of both branches of the General Court.

Adopted, March 13, 1931.

FRANK E. BRIDGMAN,
Clerk of the House of Representatives.

WILLIAM H. SANGER,
Clerk of the Senate.

NUMBER OF ACTS AND RESOLVES APPROVED, APPROVAL WITHHELD, LIST OF ACTS VETOED BY THE GOVERNOR AND PASSED OVER HIS VETO AND ACT DECLARED EMERGENCY LAW BY THE GOVERNOR UNDER AUTHORITY OF THE CONSTITUTION.

The general court, during its first annual session held in 1931, passed 460 Acts and 67 Resolves which received executive approval and 1 Act from which executive approval was withheld but has become law by virtue of chapter 1, section 1, Article 2 of the Constitution of the Commonwealth.

The governor has returned 11 Acts with his objections thereto in writing. Upon 10 Acts his objections were sustained.

One (1) Act entitled "An Act authorizing the city of Boston to pay an annuity to or for the benefit of the widow and children of Frank J. Comeau" (Chapter 427) was passed, but failed to receive executive approval; as, however, it was not returned, with objections thereto, within five days after it had been received in the executive department, the general court not having been prorogued in the meantime, said act has the force of law, under the provisions of the Constitution governing such cases, and has been so certified.

Ten (10) Acts entitled, respectively, "An Act relative to the enforcement of certain rules, regulations and orders pertaining to fire prevention"; "An Act relative to the organization of state committees of political parties"; "An Act to provide for the funding by the city of Lowell of certain overpayments of taxes"; "An Act relative to the taking of birds by the use of grain"; "An Act relative to physical examinations for the classified labor service in cities"; "An Act establishing the salaries of the governor, lieutenant governor and councillors"; "An Act relative to the pay of janitors employed by the superintendent of buildings at the state house"; "An Act authorizing the city of Fall River to pension Timothy C. Murphy, a laborer in the street department of said city"; "An Act relative to the salaries of the superintendent of elevators, assistant superintendent of elevators and of elevator operators in the state house" and "An Act relative to the supplying of water by the town of Marshfield to the Scituate Water Company" were passed and laid before the governor for his approval; were returned by him with his objections thereto, to the branch in which they respectively originated; were reconsidered, and the vote being taken on their passage, the objections of the

governor thereto notwithstanding, they were rejected, and said acts thereby became void.

One (1) Act entitled "An Act permanently relieving cities and towns of any part of the expense of maintaining and repairing state highways" (Chapter 349) was passed and laid before the governor for his approval; was returned by him with his objections thereto, to the branch in which it originated; was reconsidered, agreeably to the provisions of the constitution, and the vote being taken on its passage, the objections of the governor thereto notwithstanding, it was passed, and said act has thereby the force of law.

One (1) Act passed by the general court at its first annual session held in 1931, entitled "An Act changing the name of Massachusetts Agricultural College to Massachusetts State College" (Chapter 144) was declared to be an emergency law by the governor in accordance with the provisions of the forty-eighth amendment to the Constitution "The Referendum. II. Emergency Measures". Said Chapter 144 thereby took effect at nine o'clock A.M. on April 15, 1931.

Two engrossed bills entitled, respectively, "An Act providing that certificates of collectors of taxes relative to assessments on real estate shall include statements of unpaid water rates" (Senate No. 128) and "An Act relative to the appearance on the stage of children under fifteen" (Senate No. 495) were recalled by the Senate and by that body referred to the next annual session. One engrossed bill entitled "An Act raising the maximum age limit in respect to juvenile waywardness and delinquency from seventeen to eighteen years" (House No. 1490) was referred to the next annual session by the House of Representatives on recommendation of its committee on judiciary.

Three resolutions entitled, respectively, "Resolutions making application to Congress in accordance with Article V of the Constitution of the United States to call a constitutional convention to amend or repeal the Eighteenth Article of Amendment or to propose such an amendment for submission to the several states"; "Resolutions on the death of the Honorable Nicholas Longworth" and "Resolutions memorializing Congress with relation to the activities of the Federal Farm Board and its attempt to regulate the price of wool and mohair" were adopted by the General Court and are printed in the journals of the Senate and House of Representatives.

The general court was prorogued on Wednesday, June 10, 1931, at thirty-seven minutes past eight o'clock P.M., the session having occupied 155 days.

VOTES ON REFERENDUM QUESTION NO. 1 — AMENDMENT TO THE CONSTITUTION.

Returns of Votes upon the Question "Shall an amendment to the constitution relative to the apportionment of senatorial, representative and councillor districts, which received in a joint session of the two Houses held May 17, 1928, 182 votes in the affirmative and 48 in the negative, and at a joint session of the two Houses held May 26, 1930, received 155 votes in the affirmative and 88 in the negative, be approved?" submitted under the Provisions of Article XLVIII of the Amendments to the Constitution, (Rearrangement, Article 88), to the Voters of the Commonwealth at the State Election held November 4, 1930.

The proposed amendment of the Constitution provides for the annulment of Article XXI of the Articles of Amendment of the Constitution and the substitution therefor of a new Article XXI, and for the annulment of Article XXII of the Articles of Amendment of the Constitution and the substitution therefor of a new Article XXII. The proposed amendment embodies in substance the following changes in and additions to said Articles XXI and XXII:

1. In proposed Article XXI, towns of twelve thousand inhabitants or more may be divided in forming representative districts. No precincts, however, in such towns may be divided. In taking the census the special enumeration of legal voters shall specify the number residing in each precinct of such towns. Under existing Amendment XXI no town may be divided and no specification of the number of voters in a precinct is required.

2. The division of a county into representative districts and the apportionment of representatives to districts therein is to be made by "The county commissioners or other body acting as such or, in lieu thereof, such board of special commissioners in each county as may for that purpose be provided by law, . . ." Under Article XXI as it now stands the division and apportionment is made by "The mayor and aldermen of the city of Boston, the county commissioners of other counties than Suffolk, — or in lieu of the mayor and aldermen of the city of Boston, or of the county commissioners in each county other than Suffolk, such board of special commissioners in each county, to be elected by the people of the county, or of the towns therein, as may for that purpose be provided by law, . . ." The time for assembling of such commissioners, board or body for the purpose of making such division and apportionment is also changed, from the first Tuesday of August next after each assignment by the Legislature of the number of representatives to each county, to a time within thirty days after certification by the Secretary of the Commonwealth to such commissioners, board or body of the number so assigned, or within such other period as the General Court may by law provide.

3. Under the proposed Articles, each special enumeration shall be the basis for determining the districts, senatorial, representative and councillor, for the ten-year period beginning in the fourth January following said special enumeration and the present division of districts is to remain in effect until January, 1939. Under the existing amendments the ten-year period is the period between the taking of each census. (Thus, the next redivision based upon the next census in 1935 would, under the proposed Articles, affect those elected in 1938 to hold office beginning in January, 1939, instead of affecting those elected in 1936 to hold office beginning in January, 1937. Under existing amendments representation of newly created districts begins in January of the second year after each ten-year census, whereas under the proposed article it would begin in January of the fourth year thereafter.) The number of representatives (240), senators (40), and councillors (8) is not changed.

4. The Legislature may limit the time within which a division of representative, councillor or senatorial districts may be questioned by judicial proceedings. The existing amendments contain no provision that itself limits or authorizes the Legislature to limit such time.

County of Barnstable.

Cities and Towns.	Yes.	No.	Blanks.	Total Votes.
Barnstable	633	219	1,049	1,901
Bourne	199	117	458	774
Brewster	106	38	236	380
Chatham	174	77	326	577
Dennis	158	79	391	628

County of Barnstable — Concluded.

Cities and Towns.	Yes.	No.	Blanks.	Total Votes.
Eastham	48	22	128	198
Falmouth	408	124	686	1,218
Harwich	177	87	319	583
Mashpee	19	4	51	74
Orleans	152	69	255	476
Provincetown	189	58	562	809
Sandwich	149	47	256	452
Truro	35	20	119	174
Wellfleet	72	39	225	336
Yarmouth	148	85	303	536
Totals	2,667	1,085	5,364	9,116

County of Berkshire.

Adams	998	432	1,984	3,414
Alford	10	10	57	77
Becket	62	30	130	222
Cheshire	186	66	298	550
Clarksburg	88	74	239	401
Dalton	481	176	926	1,583
Egremont	46	42	124	212
Florida	29	13	62	104
Great Barrington	553	277	1,140	1,970
Hancock	24	23	62	109
Hinsdale	122	43	274	439
Lanesborough	99	48	189	336
Lee	374	157	720	1,251
Lenox	342	139	540	1,021
Monterey	34	18	54	106
Mount Washington	9	1	19	29
New Ashford	6	0	30	36
New Marlborough	75	50	116	241
North Adams	1,973	819	4,031	6,823
Otis	34	22	63	119
Peru	12	7	20	39
Pittsfield	4,258	1,577	8,871	14,706
Richmond	64	33	81	178
Sandisfield	24	27	29	80
Savoy	19	8	45	72
Sheffield	124	83	158	365
Stockbridge	192	76	393	661
Tyringham	23	12	70	105
Washington	25	4	38	67
West Stockbridge	104	41	222	367
Williamstown	387	173	743	1,303
Windsor	15	10	63	88
Totals	10,792	4,491	21,791	37,074

County of Bristol.

Acushnet	265	107	550	922
Attleboro	1,884	1,036	3,576	6,496
Berkley	77	36	171	284
Dartmouth	520	188	912	1,620
Dighton	198	96	406	700
Easton	483	219	1,090	1,792
Fairhaven	886	249	1,201	2,336
Fall River	10,485	4,019	16,921	31,425
Freetown	95	68	283	446
Mansfield	587	227	1,015	1,829
New Bedford	9,874	2,609	15,212	27,695
North Attleborough	1,333	428	1,947	3,708
Norton	228	93	406	727
Raynham	124	83	340	547
Rehoboth	171	103	316	590
Seekonk	356	105	324	785
Somerset	517	229	689	1,435
Swansea	376	145	553	1,074
Taunton	2,655	1,314	6,926	10,895
Westport	255	145	538	938
Totals	31,369	11,499	53,376	96,244

County of Dukes County.

Cities and Towns.	Yes.	No.	Blanks.	Total Votes.
Chilmark	21	8	49	78
Edgartown	106	22	172	300
Gay Head	8	4	30	42
Gosnold	21	5	12	38
Oak Bluffs	114	37	158	309
Tisbury	140	43	220	403
West Tisbury	24	8	72	104
Totals	434	127	713	1,274

County of Essex.

Amesbury	953	512	1,961	3,426
Andover	2,323	501	845	3,669
BEVERLY	2,714	1,014	4,207	7,935
Boxford	100	36	114	250
Danvers	1,097	464	1,791	3,352
Essex	133	69	399	601
Georgetown	198	143	417	758
GLOUCESTER	2,050	888	3,781	6,719
Groveland	222	100	423	745
Hamilton	239	101	366	706
HAVERHILL	4,168	1,854	7,454	13,476
Ipswich	450	223	896	1,569
LAWRENCE	7,909	2,873	12,878	23,660
LYNN	12,552	4,439	15,601	32,592
Lynnfield	283	114	343	740
Manchester	339	96	547	982
Marblehead	1,275	532	1,890	3,697
Merrimac	231	110	390	731
Methuen	2,094	669	4,071	6,834
Middleton	100	55	197	352
Nahant	272	92	387	751
Newbury	174	133	366	673
NEWBURYPORT	1,523	1,040	2,484	5,047
North Andover	863	409	1,441	2,713
PEABODY	1,611	558	3,125	5,294
Rockport	520	144	466	1,130
Rowley	119	112	279	510
SALEM	4,707	1,736	7,687	14,130
Salisbury	157	104	368	629
Saugus	1,618	656	2,282	4,556
Swampscott	1,512	511	1,639	3,662
Topsfield	150	53	185	388
Wenham	153	71	210	434
West Newbury	117	75	243	435
Totals	52,926	20,487	79,733	153,146

County of Franklin.

Ashfield	53	41	132	226
Bernardston	71	45	148	264
Buckland	111	81	322	514
Charlemont	61	38	122	221
Colrain	89	63	202	354
Conway	59	36	133	228
Deerfield	228	68	369	665
Erving	85	32	187	304
Gill	83	18	151	252
Greenfield	1,855	678	2,625	5,158
Hawley	11	17	30	58
Heath	17	14	54	85
Leverett	22	15	66	103
Leyden	26	14	31	71
Monroe	7	10	19	36
Montague	741	193	1,350	2,284
New Salem	43	27	70	140
Northfield	209	74	320	603
Orange	503	283	1,002	1,788
Rowe	15	7	38	60
Shelburne	142	93	381	616
Shutesbury	14	4	33	51
Sunderland	78	31	118	227
Warwick	32	24	53	109
Wendell	18	21	42	81
Whately	63	24	137	224
Totals	4,636	1,951	8,135	14,722

County of Hampden.

Cities and Towns.	Yes.	No.	Blanks.	Total Votes.
Agawam	665	239	947	1,851
Blandford	30	14	92	136
Brimfield	77	34	124	235
Chester	103	39	202	344
CHICOPEE	3,978	1,091	6,248	11,317
East Longmeadow	425	156	475	1,056
Granville	60	42	128	230
Hampden	88	32	121	241
Holland	6	5	32	43
HOLYOKE	6,826	2,094	10,155	19,075
Longmeadow	900	191	659	1,750
Ludlow	654	184	906	1,744
Monson	406	153	665	1,224
Montgomery	8	10	32	50
Palmer	869	277	1,468	2,614
Russell	153	47	226	426
Southwick	76	43	181	300
SPRINGFIELD	20,191	4,387	20,768	45,346
Tolland	11	10	17	38
Wales	37	12	56	105
West Springfield	2,215	621	2,377	5,213
WESTFIELD	2,167	479	3,273	5,919
Wilbraham	221	82	285	588
Totals	40,166	10,242	49,437	99,845

County of Hampshire.

Amherst	777	248	843	1,868
Belchertown	148	66	307	521
Chesterfield	39	25	118	182
Cummington	50	31	116	197
Easthampton	944	385	1,963	3,292
Enfield	31	11	85	127
Goshen	24	12	57	93
Granby	85	47	174	306
Greenwich	24	5	42	71
Hadley	161	83	326	570
Hatfield	188	54	317	559
Huntington	126	42	329	497
Middlefield	16	12	47	75
NORTHAMPTON	2,505	876	4,037	7,418
Pelham	28	17	58	103
Plainfield	14	14	57	85
Prescott	2	2	9	13
South Hadley	873	288	1,157	2,318
Southampton	85	31	166	282
Ware	478	229	1,126	1,833
Westhampton	38	23	60	121
Williamsburg	178	99	462	739
Worthington	33	18	70	121
Totals	6,847	2,618	11,926	21,391

County of Middlesex.

Acton	297	133	474	904
Arlington	4,790	1,510	5,477	11,777
Ashby	57	31	128	216
Ashland	294	113	406	813
Ayer	314	116	611	1,041
Bedford	201	76	374	651
Belmont	3,163	964	3,372	7,499
Billerica	657	226	879	1,762
Boxborough	34	11	62	107
Burlington	152	49	269	470
CAMBRIDGE	11,050	4,324	16,906	32,280
Carlisle	66	27	93	186
Chelmsford	791	347	1,185	2,323
Concord	962	237	1,149	2,348
Dracut	589	235	786	1,610
Dunstable	34	14	87	135
EVERETT	4,003	1,792	6,830	12,625

County of Middlesex — Concluded.

Cities and Towns.	Yes.	No.	Blanks.	Total Votes.
Framingham	2,324	1,229	3,242	6,795
Groton	359	146	416	921
Holliston	397	170	565	1,132
Hopkinton	345	161	544	1,050
Hudson	706	373	1,329	2,408
Lexington	1,336	372	1,375	3,083
Lincoln	183	62	219	464
Littleton	180	66	235	481
LOWELL	11,932	4,505	14,601	31,038
MALDEN	5,146	1,966	9,608	16,720
MARLBOROUGH	1,783	1,088	2,833	5,704
Maynard	578	228	1,078	1,884
MEDFORD	6,274	1,916	9,966	18,156
MELROSE	3,834	1,368	4,236	9,438
Natick	1,688	1,121	2,686	5,495
NEWTON	9,452	2,379	10,216	22,047
North Reading	170	73	224	467
Pepperell	313	112	503	928
Reading	1,465	479	1,702	3,646
Sherborn	111	54	169	334
Shirley	171	62	311	544
SOMERVILLE	11,096	4,341	16,302	31,739
Stoneham	1,175	460	1,828	3,463
Stow	126	52	199	377
Sudbury	150	69	235	454
Tewksbury	247	83	378	708
Townsend	146	93	276	515
Tyngsborough	122	39	159	320
Wakefield	2,133	850	2,370	5,353
WALTHAM	4,240	1,717	5,554	11,511
Watertown	3,996	1,339	4,495	9,830
Wayland	323	119	489	931
Westford	269	99	547	915
Weston	538	189	431	1,158
Wilmington	380	166	505	1,051
Winchester	2,141	549	1,928	4,618
WOBURN	2,361	898	2,930	6,189
Totals	105,644	39,198	143,772	288,614

County of Nantucket.

Nantucket	284	87	886	1,257

County of Norfolk.

Avon	253	95	486	834
Bellingham	229	101	385	715
Braintree	1,942	666	2,372	4,980
Brookline	6,577	1,576	7,659	15,812
Canton	793	244	1,096	2,133
Cohasset	471	137	614	1,222
Dedham	1,864	580	2,259	4,703
Dover	126	50	198	374
Foxborough	471	174	725	1,370
Franklin	619	232	1,124	1,975
Holbrook	362	154	812	1,328
Medfield	205	89	437	731
Medway	308	180	593	1,081
Millis	176	69	352	597
Milton	2,535	676	3,106	6,317
Needham	1,385	499	1,881	3,765
Norfolk	106	48	173	327
Norwood	1,623	525	2,664	4,812
Plainville	173	76	275	524
QUINCY	8,406	2,975	10,498	21,879
Randolph	693	243	1,268	2,204
Sharon	482	154	617	1,253
Stoughton	869	299	1,397	2,565
Walpole	757	374	1,066	2,197
Wellesley	1,894	449	1,399	3,742
Westwood	270	82	350	702
Weymouth	2,165	809	3,047	6,021
Wrentham	249	90	369	708
Totals	36,003	11,646	47,222	94,871

County of Plymouth.

Cities and Towns.	Yes.	No.	Blanks.	Total Votes.
Abington	627	279	1,233	2,139
Bridgewater	477	187	999	1,663
BROCKTON	6,033	2,528	12,135	20,696
Carver	49	21	144	214
Duxbury	182	92	350	624
East Bridgewater	288	145	676	1,109
Halifax	89	41	131	261
Hanover	228	93	467	788
Hanson	198	88	481	767
Hingham	917	290	1,160	2,367
Hull	433	79	481	993
Kingston	174	66	381	621
Lakeville	73	49	139	261
Marion	144	54	182	380
Marshfield	211	87	354	652
Mattapoisett	102	64	251	417
Middleborough	645	324	1,435	2,404
Norwell	166	56	249	471
Pembroke	153	49	159	361
Plymouth	855	319	1,923	3,097
Plympton	47	48	51	146
Rochester	61	29	102	192
Rockland	840	285	2,023	3,148
Scituate	422	188	677	1,287
Wareham	366	165	808	1,339
West Bridgewater	307	146	603	1,056
Whitman	781	323	1,798	2,902
Totals	14,868	6,095	29,392	50,355

County of Suffolk.

BOSTON	79,122	21,546	108,431	209,099
CHELSEA	2,973	984	5,520	9,477
REVERE	3,154	749	5,981	9,884
Winthrop	2,641	727	3,165	6,533
Totals	87,890	24,006	123,097	234,993

County of Worcester.

Ashburnham	131	62	329	522
Athol	800	408	1,628	2,836
Auburn	602	280	989	1,871
Barre	221	90	421	732
Berlin	120	80	195	395
Blackstone	323	462	563	1,348
Bolton	87	39	102	228
Boylston	81	49	187	317
Brookfield	128	68	271	467
Charlton	199	105	321	625
Clinton	1,641	587	2,581	4,809
Dana	35	12	76	123
Douglas	214	133	365	712
Dudley	291	106	674	1,071
East Brookfield	107	35	143	285
FITCHBURG	3,991	1,478	6,237	11,706
GARDNER	1,402	512	3,067	4,981
Grafton	595	222	1,039	1,856
Hardwick	177	75	408	660
Harvard	154	59	199	412
Holden	371	177	487	1,035
Hopedale	409	139	525	1,073
Hubbardston	93	104	37	234
Lancaster	257	88	355	700
Leicester	547	182	805	1,534
LEOMINSTER	1,953	811	3,578	6,342
Lunenburg	129	99	238	466
Mendon	83	62	181	326
Milford	1,231	459	2,531	4,221
Millbury	653	363	1,238	2,254
Millville	193	194	370	757
New Braintree	29	11	70	110

County of Worcester — Concluded.

Cities and Towns.	Yes.	No.	Blanks.	Total Votes.
North Brookfield	287	106	665	1,058
Northborough	245	98	320	663
Northbridge	1,057	463	1,573	3,093
Oakham	33	13	75	121
Oxford	481	135	626	1,242
Paxton	65	33	88	186
Petersham	77	33	139	249
Phillipston	20	9	51	80
Princeton	80	25	77	182
Royalston	39	28	68	135
Rutland	127	54	201	382
Shrewsbury	692	270	886	1,848
Southborough	244	132	346	722
Southbridge	1,330	578	2,367	4,275
Spencer	620	229	1,377	2,226
Sterling	193	74	254	521
Sturbridge	157	78	320	555
Sutton	164	138	356	658
Templeton	258	150	556	964
Upton	235	119	416	770
Uxbridge	558	608	1,024	2,190
Warren	288	107	556	951
Webster	1,380	358	2,338	4,076
West Boylston	240	96	290	626
West Brookfield	118	86	258	462
Westborough	547	226	915	1,688
Westminster	102	62	208	372
Winchendon	409	163	1,019	1,591
WORCESTER	21,799	6,565	31,954	60,318
Totals	49,092	18,587	79,533	147,212

Aggregate of Votes.

Counties.	Yes.	No.	Blanks.	Total Votes.
BARNSTABLE	2,667	1,085	5,364	9,116
BERKSHIRE	10,792	4,491	21,791	37,074
BRISTOL	31,369	11,499	53,376	96,244
DUKES COUNTY	434	127	713	1,274
ESSEX	52,926	20,487	79,733	153,146
FRANKLIN	4,636	1,951	8,135	14,722
HAMPDEN	40,166	10,242	49,437	99,845
HAMPSHIRE	6,847	2,618	11,926	21,391
MIDDLESEX	105,644	39,198	143,772	288,614
NANTUCKET	284	87	886	1,257
NORFOLK	36,003	11,646	47,222	94,871
PLYMOUTH	14,868	6,095	29,392	50,355
SUFFOLK	87,890	24,006	123,097	234,993
WORCESTER	49,092	18,587	79,533	147,212
TOTALS	443,618	152,119	654,377	1,250,114

VOTES ON REFERENDUM QUESTION NO. 2 — LAW PROPOSED BY INITIATIVE PETITION (BABY VOLSTEAD ACT).

Return of Votes upon the Question "Shall the proposed law which amends the General Laws by striking out chapter 138, section 2A, which section provides that, 'No person shall manufacture, transport by air craft, water craft or vehicle, import or export spirituous or intoxicating liquor as defined by section three, or certain non-intoxicating beverages as defined by section one, unless in each instance he shall have obtained the permit or other authority required therefor by the laws of the United States and the regulations made thereunder,' which law was disapproved in the House of Representatives by a vote of 110 in the affirmative and 123 in the negative and in the Senate by a vote of 11 in the affirmative and 26 in the negative, be approved?" submitted under the provisions of Article XLVIII of the Amendments to the Constitution (Rearrangement, Article 88) to the Voters of the Commonwealth at the State Election held November 4, 1930.

County of Barnstable.

Cities and Towns.	Yes.	No.	Blanks.	Total Votes.
Barnstable	822	764	315	1,901
Bourne	286	318	170	774
Brewster	128	154	98	380
Chatham	204	238	135	577
Dennis	219	282	127	628
Eastham	50	83	65	198
Falmouth	592	438	188	1,218
Harwich	237	261	85	583
Mashpee	32	25	17	74
Orleans	181	207	88	476
Provincetown	328	198	283	809
Sandwich	210	181	61	452
Truro	54	64	56	174
Wellfleet	104	140	92	336
Yarmouth	249	181	106	536
Totals	3,696	3,534	1,886	9,116

County of Berkshire.

Adams	1,887	823	704	3,414
Alford	21	38	18	77
Becket	98	89	35	222
Cheshire	216	227	107	550
Clarksburg	121	187	93	401
Dalton	639	726	218	1,583
Egremont	62	85	65	212
Florida	23	63	18	104
Great Barrington	850	730	390	1,970
Hancock	47	46	16	109
Hinsdale	215	139	85	439
Lanesborough	112	161	63	336
Lee	650	418	183	1,251
Lenox	566	257	198	1,021
Monterey	27	72	7	106
Mount Washington	13	8	8	29
New Ashford	11	19	6	36
New Marlborough	94	121	26	241
NORTH ADAMS	3,197	2,199	1,427	6,823
Otis	37	66	16	119
Peru	16	20	3	39
PITTSFIELD	7,196	4,784	2,726	14,706
Richmond	59	88	31	178
Sandisfield	35	27	18	80
Savoy	22	37	13	72
Sheffield	108	216	41	365
Stockbridge	306	234	121	661
Tyringham	44	43	18	105
Washington	38	18	11	67
West Stockbridge	132	141	94	367
Williamstown	592	534	177	1,303
Windsor	14	63	11	88
Totals	17,448	12,679	6,947	37,074

County of Bristol.

Cities and Towns.	Yes.	No.	Blanks.	Total Votes.
Acushnet	465	212	245	922
ATTLEBORO	2,475	2,525	1,496	6,496
Berkley	102	109	73	284
Dartmouth	758	566	296	1,620
Dighton	235	263	202	700
Easton	823	758	211	1,792
Fairhaven	1,068	843	425	2,336
FALL RIVER	17,261	6,484	7,680	31,425
Freetown	146	168	132	446
Mansfield	758	763	308	1,829
NEW BEDFORD	16,064	6,277	5,354	27,695
North Attleborough	1,680	1,274	754	3,708
Norton	315	279	133	727
Raynham	208	205	134	547
Rehoboth	217	250	123	590
Seekonk	293	353	139	785
Somerset	630	630	175	1,435
Swansea	447	349	278	1,074
TAUNTON	5,183	3,011	2,701	10,895
Westport	385	344	209	938
Totals	49,513	25,663	21,068	96,244

County of Dukes County.

Chilmark	14	45	19	78
Edgartown	136	93	71	300
Gay Head	8	10	24	42
Gosnold	17	16	5	38
Oak Bluffs	145	114	50	309
Tisbury	160	165	78	403
West Tisbury	35	49	20	104
Totals	515	492	267	1,274

County of Essex.

Amesbury	1,498	1,266	662	3,426
Andover	1,746	1,479	444	3,669
BEVERLY	3,633	2,905	1,397	7,935
Boxford	81	140	29	250
Danvers	1,430	1,429	493	3,352
Essex	202	272	127	601
Georgetown	253	343	162	758
GLOUCESTER	3,076	2,450	1,193	6,719
Groveland	334	270	141	745
Hamilton	327	285	94	706
HAVERHILL	6,794	4,274	2,408	13,476
Ipswich	623	590	356	1,569
LAWRENCE	15,712	3,587	4,361	23,660
LYNN	18,497	10,149	3,946	32,592
Lynnfield	329	311	100	740
Manchester	472	319	191	982
Marblehead	1,506	1,731	460	3,697
Merrimac	252	354	125	731
Methuen	3,460	1,891	1,483	6,834
Middleton	143	157	52	352
Nahant	410	238	103	751
Newbury	243	297	133	673
NEWBURYPORT	2,168	1,842	1,037	5,047
North Andover	1,394	832	487	2,713
PEABODY	2,601	1,262	1,431	5,294
Rockport	475	452	203	1,130
Rowley	167	257	86	510
SALEM	7,563	3,365	3,202	14,130
Salisbury	253	240	136	629
Saugus	1,895	1,932	729	4,556
Swampscott	1,525	1,630	507	3,662
Topsfield	160	175	53	388
Wenham	165	217	52	434
West Newbury	145	216	74	435
Totals	79,532	47,157	26,457	153,146

County of Franklin.

Cities and Towns.	Yes.	No.	Blanks.	Total Votes.
Ashfield	54	127	45	226
Bernardston	62	166	36	264
Buckland	152	285	77	514
Charlemont	52	145	24	221
Colrain	79	228	47	354
Conway	76	125	27	228
Deerfield	264	278	123	665
Erving	165	89	50	304
Gill	62	150	40	252
Greenfield	2,356	2,071	731	5,158
Hawley	10	41	7	58
Heath	18	61	6	85
Leverett	31	67	5	103
Leyden	16	49	6	71
Monroe	18	17	1	36
Montague	1,208	576	500	2,284
New Salem	34	85	21	140
Northfield	127	428	48	603
Orange	584	953	251	1,788
Rowe	22	32	6	60
Shelburne	101	430	85	616
Shutesbury	9	35	7	51
Sunderland	65	128	34	227
Warwick	37	57	15	109
Wendell	34	37	10	81
Whately	91	76	57	224
Totals	5,727	6,736	2,259	14,722

County of Hampden.

Agawam	952	506	393	1,851
Blandford	42	75	19	136
Brimfield	85	114	36	235
Chester	152	104	88	344
CHICOPEE	6,577	1,735	3,005	11,317
East Longmeadow	459	406	191	1,056
Granville	70	92	68	230
Hampden	111	83	47	241
Holland	17	16	10	43
HOLYOKE	10,837	3,646	4,592	19,075
Longmeadow	771	747	232	1,750
Ludlow	995	385	364	1,744
Monson	490	423	311	1,224
Montgomery	21	18	11	50
Palmer	1,420	599	595	2,614
Russell	183	159	84	426
Southwick	88	146	66	300
SPRINGFIELD	24,816	11,893	8,637	45,346
Tolland	9	23	6	38
Wales	50	38	17	105
West Springfield	2,817	1,488	908	5,213
WESTFIELD	3,070	1,434	1,415	5,919
Wilbraham	201	259	128	588
Totals	54,233	24,389	21,223	99,845

County of Hampshire.

Amherst	673	944	251	1,868
Belchertown	222	207	92	521
Chesterfield	29	117	36	182
Cummington	37	105	55	197
Easthampton	1,361	892	1,039	3,292
Enfield	54	47	26	127
Goshen	16	46	31	93
Granby	98	131	77	306
Greenwich	22	31	18	71
Hadley	271	181	118	570
Hatfield	289	123	147	559
Huntington	222	135	140	497
Middlefield	21	38	16	75
NORTHAMPTON	3,460	2,295	1,663	7,418

County of Hampshire — Concluded.

Cities and Towns.	Yes.	No.	Blanks.	Total Votes.
Pelham	41	51	11	103
Plainfield	19	44	22	85
Prescott	1	10	2	13
South Hadley	1,130	703	485	2,318
Southampton	90	127	65	282
Ware	945	401	487	1,833
Westhampton	23	75	23	121
Williamsburg	311	279	149	739
Worthington	35	61	25	121
Totals	9,370	7,043	4,978	21,391

County of Middlesex.

Acton	325	416	163	904
Arlington	5,857	4,413	1,507	11,777
Ashby	56	132	28	216
Ashland	336	354	123	813
Ayer	477	347	217	1,041
Bedford	257	285	109	651
Belmont	3,429	3,195	875	7,499
Billerica	970	559	233	1,762
Boxborough	34	65	8	107
Burlington	225	169	76	470
CAMBRIDGE	17,875	7,770	6,635	32,280
Carlisle	56	98	32	186
Chelmsford	1,020	944	359	2,323
Concord	1,074	1,000	274	2,348
Dracut	913	415	282	1,610
Dunstable	44	67	24	135
EVERETT	6,119	3,776	2,730	12,625
Framingham	3,221	2,449	1,125	6,795
Groton	362	444	115	921
Holliston	401	586	145	1,132
Hopkinton	463	366	221	1,050
Hudson	1,132	841	435	2,408
Lexington	1,483	1,306	294	3,083
Lincoln	222	189	53	464
Littleton	133	286	62	481
LOWELL	20,254	5,771	5,013	31,038
MALDEN	7,458	5,609	3,653	16,720
MARLBOROUGH	3,243	1,443	1,018	5,704
Maynard	913	612	359	1,884
MEDFORD	9,250	5,499	3,407	18,156
MELROSE	3,450	5,084	904	9,438
Natick	2,581	2,037	877	5,495
NEWTON	10,126	9,394	2,527	22,047
North Reading	185	205	77	467
Pepperell	383	368	177	928
Reading	1,282	1,997	367	3,646
Sherborn	123	156	55	334
Shirley	248	224	72	544
SOMERVILLE	15,416	10,169	6,154	31,739
Stoneham	1,403	1,611	449	3,463
Stow	119	211	47	377
Sudbury	146	263	45	454
Tewksbury	310	280	118	708
Townsend	139	292	84	515
Tyngsborough	136	143	41	320
Wakefield	2,485	2,205	663	5,353
WALTHAM	5,916	3,828	1,767	11,511
Watertown	4,826	3,480	1,524	9,830
Wayland	425	357	149	931
Westford	438	315	162	915
Weston	544	522	92	1,158
Wilmington	509	392	150	1,051
Winchester	2,078	2,069	471	4,618
WOBURN	3,319	2,001	869	6,189
Totals	144,189	97,009	47,416	288,614

County of Nantucket.

Cities and Towns.	Yes.	No.	Blanks.	Total Votes.
Nantucket	492	288	477	1,257

County of Norfolk.

Avon	439	224	171	834
Bellingham	371	202	142	715
Braintree	2,278	1,927	775	4,980
Brookline	7,898	5,363	2,551	15,812
Canton	1,233	605	295	2,133
Cohasset	643	405	174	1,222
Dedham	2,614	1,457	632	4,703
Dover	178	154	42	374
Foxborough	520	626	224	1,370
Franklin	1,000	645	330	1,975
Holbrook	676	414	238	1,328
Medfield	308	321	102	731
Medway	467	398	216	1,081
Millis	320	196	81	597
Milton	3,315	2,272	730	6,317
Needham	1,406	1,951	408	3,765
Norfolk	137	150	40	327
Norwood	2,481	1,614	717	4,812
Plainville	177	263	84	524
QUINCY	10,766	7,882	3,231	21,879
Randolph	1,127	637	440	2,204
Sharon	506	608	139	1,253
Stoughton	1,362	770	433	2,565
Walpole	1,007	845	345	2,197
Wellesley	1,532	1,929	281	3,742
Westwood	333	266	103	702
Weymouth	2,957	2,268	796	6,021
Wrentham	281	334	93	708
Totals	46,332	34,726	13,813	94,871

County of Plymouth.

Abington	1,006	733	400	2,139
Bridgewater	709	677	277	1,663
BROCKTON	11,658	6,083	2,955	20,696
Carver	68	113	33	214
Duxbury	227	276	121	624
East Bridgewater	500	444	165	1,109
Halifax	87	111	63	261
Hanover	290	362	136	788
Hanson	322	259	186	767
Hingham	1,194	887	286	2,367
Hull	614	187	192	993
Kingston	293	235	93	621
Lakeville	97	119	45	261
Marion	158	181	41	380
Marshfield	255	297	100	652
Mattapoisett	156	186	75	417
Middleborough	941	1,138	325	2,404
Norwell	201	176	94	471
Pembroke	167	142	52	361
Plymouth	1,366	958	773	3,097
Plympton	34	66	46	146
Rochester	56	102	34	192
Rockland	1,649	861	638	3,148
Scituate	576	536	175	1,287
Wareham	566	516	257	1,339
West Bridgewater	427	429	200	1,056
Whitman	1,305	1,067	530	2,902
Totals	24,922	17,141	8,292	50,355

County of Suffolk.

Cities and Towns.	Yes.	No.	Blanks.	Total Votes.
BOSTON	123,704	39,346	46,049	209,099
CHELSEA	5,326	1,764	2,387	9,477
REVERE	5,472	1,891	2,521	9,884
Winthrop	3,507	2,009	1,017	6,533
Totals	138,009	45,010	51,974	234,993

County of Worcester.

Ashburnham	243	215	64	522
Athol	1,051	1,361	424	2,836
Auburn	886	685	300	1,871
Barre	296	326	110	732
Berlin	95	253	47	395
Blackstone	845	244	259	1,348
Bolton	59	154	15	228
Boylston	130	149	38	317
Brookfield	203	201	63	467
Charlton	277	258	90	625
Clinton	2,687	1,236	886	4,809
Dana	42	53	28	123
Douglas	275	316	121	712
Dudley	555	232	284	1,071
East Brookfield	179	83	23	285
FITCHBURG	6,262	3,507	1,937	11,706
GARDNER	2,237	1,614	1,130	4,981
Grafton	906	584	366	1,856
Hardwick	369	187	104	660
Harvard	153	220	39	412
Holden	351	578	106	1,035
Hopedale	407	515	151	1,073
Hubbardston	56	42	136	234
Lancaster	260	361	79	700
Leicester	857	432	245	1,534
LEOMINSTER	2,959	2,074	1,309	6,342
Lunenburg	116	277	73	466
Mendon	85	184	57	326
Milford	1,941	954	1,326	4,221
Millbury	1,164	636	454	2,254
Millville	414	182	161	757
New Braintree	34	56	20	110
North Brookfield	454	334	270	1,058
Northborough	269	326	68	663
Northbridge	1,507	1,113	473	3,093
Oakham	49	55	17	121
Oxford	625	373	244	1,242
Paxton	73	90	23	186
Petersham	93	124	32	249
Phillipston	22	54	4	80
Princeton	49	99	34	182
Royalston	26	90	19	135
Rutland	155	178	49	382
Shrewsbury	846	783	219	1,848
Southborough	334	289	99	722
Southbridge	2,597	863	815	4,275
Spencer	1,197	612	417	2,226
Sterling	198	238	85	521
Sturbridge	235	206	114	555
Sutton	262	295	101	658
Templeton	354	467	143	964
Upton	260	347	163	770
Uxbridge	1,203	684	303	2,190
Warren	458	333	160	951
Webster	2,370	736	970	4,076
West Boylston	159	396	71	626
West Brookfield	180	212	70	462
Westborough	631	812	245	1,688
Westminster	114	197	61	372
Winchendon	745	568	278	1,591
WORCESTER	33,755	17,634	8,929	60,318
Totals	75,614	46,677	24,921	147,212

Aggregate of Votes.

Counties.	Yes.	No.	Blanks.	Total Votes.
BARNSTABLE	3,696	3,534	1,886	9,116
BERKSHIRE	17,448	12,679	6,947	37,074
BRISTOL	49,513	25,663	21,068	96,244
DUKES COUNTY	515	492	267	1,274
ESSEX	79,532	47,157	26,457	153,146
FRANKLIN	5,727	6,736	2,259	14,722
HAMPDEN	54,233	24,389	21,223	99,845
HAMPSHIRE	9,370	7,043	4,978	21,391
MIDDLESEX	144,189	97,009	47,416	288,614
NANTUCKET	492	288	477	1,257
NORFOLK	46,332	34,726	13,813	94,871
PLYMOUTH	24,922	17,141	8,292	50,355
SUFFOLK	138,009	45,010	51,974	234,993
WORCESTER	75,614	46,677	24,921	147,212
TOTALS	649,592	368,544	231,978	1,250,114

VOTES ON REFERENDUM QUESTION NO. 3 — LAW PROPOSED BY INITIATIVE PETITION (STEEL TRAP LAW).

Return of Votes upon the Question "Shall the proposed law which amends General Laws, chapter 131, by inserting therein a new section number 59A, which in substance makes it a misdemeanor punishable by a fine of fifty dollars for any person to use, set or maintain any trap or other device for the capture of fur-bearing animals which is likely to cause continued suffering to an animal caught therein and which is not designed to kill the animal at once or take it alive unhurt, except traps or other devices for protection against vermin, set or maintained within fifty yards of any building or cultivated plot of land to the use of which the presence of vermin may be detrimental, which law was disapproved in the Senate by a vote of 12 in the affirmative and 24 in the negative, and in the House of Representatives by a vote of 48 in the affirmative and 167 in the negative, be approved?" submitted under the provisions of Article XLVIII of the Amendments to the Constitution (Rearrangement, Article 88) to the Voters of the Commonwealth at the State Election held November 4, 1930.

County of Barnstable.

Cities and Towns.	Yes.	No.	Blanks.	Total Votes.
Barnstable	811	579	511	1,901
Bourne	272	268	234	774
Brewster	93	158	129	380
Chatham	188	193	196	577
Dennis	263	189	176	628
Eastham	51	70	77	198
Falmouth	574	352	292	1,218
Harwich	221	217	145	583
Mashpee	20	26	28	74
Orleans	171	185	120	476
Provincetown	306	131	372	809
Sandwich	177	163	112	452
Truro	37	63	74	174
Wellfleet	105	100	131	336
Yarmouth	265	149	122	536
Totals	3,554	2,843	2,719	9,116

County of Berkshire.

Adams	1,251	1,111	1,052	3,414
Alford	20	38	19	77
Becket	92	81	49	222
Cheshire	171	227	152	550
Clarksburg	121	145	135	401
Dalton	684	501	398	1,583
Egremont	82	73	57	212
Florida	20	59	25	104
Great Barrington	625	785	560	1,970
Hancock	34	48	27	109
Hinsdale	165	140	134	439
Lanesborough	109	140	87	336
Lee	409	501	341	1,251
Lenox	457	276	288	1,021
Monterey	19	70	17	106
Mount Washington	6	14	9	29
New Ashford	3	24	9	36
New Marlborough	57	127	57	241
North Adams	2,603	2,076	2,144	6,823
Otis	50	52	17	119
Peru	11	21	7	39
Pittsfield	5,952	4,554	4,200	14,706
Richmond	70	80	28	178
Sandisfield	33	23	24	80
Savoy	10	44	18	72

County of Berkshire — Concluded.

Cities and Towns.	Yes.	No.	Blanks.	Total Votes.
Sheffield	102	198	65	365
Stockbridge	244	231	186	661
Tyringham	47	43	15	105
Washington	21	36	10	67
West Stockbridge	132	141	94	367
Williamstown	454	553	296	1,303
Windsor	24	51	13	88
Totals	14,078	12,463	10,533	37,074

County of Bristol.

Acushnet	348	232	342	922
ATTLEBORO	2,491	1,716	2,289	6,496
Berkley	78	144	62	284
Dartmouth	717	475	428	1,620
Dighton	211	291	198	700
Easton	780	581	431	1,792
Fairhaven	1,179	548	609	2,336
FALL RIVER	14,530	6,103	10,792	31,425
Freetown	165	137	144	446
Mansfield	707	650	472	1,829
NEW BEDFORD	13,185	5,485	9,025	27,695
North Attleborough	1,455	956	1,297	3,708
Norton	297	272	158	727
Raynham	144	273	130	547
Rehoboth	184	260	146	590
Seekonk	294	282	209	785
Somerset	691	366	378	1,435
Swansea	402	316	356	1,074
TAUNTON	3,341	4,423	3,131	10,895
Westport	320	361	257	938
Totals	41,519	23,871	30,854	96,244

County of Dukes County.

Chilmark	16	34	28	78
Edgartown	125	78	97	300
Gay Head	8	9	25	42
Gosnold	12	20	6	38
Oak Bluffs	150	82	77	309
Tisbury	154	119	130	403
West Tisbury	38	34	32	104
Totals	503	376	395	1,274

County of Essex.

Amesbury	1,406	905	1,115	3,426
Andover	2,099	767	803	3,669
BEVERLY	3,778	1,719	2,438	7,935
Boxford	98	112	40	250
Danvers	1,575	869	908	3,352
Essex	249	139	213	601
Georgetown	265	263	230	758
GLOUCESTER	3,038	1,404	2,277	6,719
Groveland	387	247	111	745
Hamilton	367	190	149	706
HAVERHILL	7,154	2,561	3,761	13,476
Ipswich	620	412	537	1,569
LAWRENCE	12,612	4,048	7,000	23,660
LYNN	16,909	6,289	9,394	32,592
Lynnfield	393	176	171	740
Manchester	462	204	316	982
Marblehead	1,928	814	955	3,697
Merrimac	332	194	205	731
Methuen	3,445	1,192	2,197	6,834
Middleton	154	133	65	352

County of Essex — Concluded.

Cities and Towns.	Yes.	No.	Blanks.	Total Votes.
Nahant	409	138	204	751
Newbury	255	249	169	673
NEWBURYPORT	2,247	1,096	1,704	5,047
North Andover	1,396	589	728	2,713
PEABODY	2,379	928	1,987	5,294
Rockport	542	253	335	1,130
Rowley	154	240	116	510
SALEM	6,597	2,302	5,231	14,130
Salisbury	236	184	209	629
Saugus	2,304	1,080	1,172	4,556
Swampscott	2,066	811	785	3,662
Topsfield	198	113	77	388
Wenham	182	174	78	434
West Newbury	178	140	117	435
Totals	76,414	30,935	45,797	153,146

County of Franklin.

Ashfield	56	112	58	226
Bernardston	74	136	54	264
Buckland	152	271	91	514
Charlemont	45	138	38	221
Colrain	88	216	50	354
Conway	64	123	41	228
Deerfield	268	225	172	665
Erving	90	130	84	304
Gill	87	118	47	252
Greenfield	2,374	1,590	1,194	5,158
Hawley	6	42	10	58
Heath	21	49	15	85
Leverett	24	58	21	103
Leyden	30	35	6	71
Monroe	9	19	8	36
Montague	1,045	524	715	2,284
New Salem	34	83	23	140
Northfield	209	307	87	603
Orange	629	829	330	1,788
Rowe	12	36	12	60
Shelburne	170	327	119	616
Shutesbury	23	16	12	51
Sunderland	59	131	37	227
Warwick	25	70	14	109
Wendell	20	51	10	81
Whately	64	90	70	224
Totals	5,678	5,726	3,318	14,722

County of Hampden.

Agawam	830	526	495	1,851
Blandford	68	47	21	136
Brimfield	76	130	29	235
Chester	149	118	77	344
CHICOPEE	5,418	2,074	3,825	11,317
East Longmeadow	499	327	230	1,056
Granville	95	77	58	230
Hampden	86	100	55	241
Holland	14	24	5	43
HOLYOKE	9,219	3,428	6,428	19,075
Longmeadow	898	609	243	1,750
Ludlow	805	500	439	1,744
Monson	517	359	348	1,224
Montgomery	14	19	17	50
Palmer	1,194	609	811	2,614
Russell	177	138	111	426
Southwick	103	112	85	300
SPRINGFIELD	26,425	8,432	10,489	45,346
Tolland	16	16	6	38
Wales	52	37	16	105
West Springfield	2,845	1,198	1,170	5,213
WESTFIELD	3,075	1,067	1,777	5,919
Wilbraham	262	189	137	588
Totals	52,837	20,136	26,872	99,845

County of Hampshire.

Cities and Towns.	Yes.	No.	Blanks.	Total Votes.
Amherst	990	517	361	1,868
Belchertown	214	180	127	521
Chesterfield	60	69	53	182
Cummington	43	89	65	197
Easthampton	1,267	800	1,225	3,292
Enfield	34	61	32	127
Goshen	30	41	22	93
Granby	85	125	96	306
Greenwich	18	41	12	71
Hadley	180	201	189	570
Hatfield	182	194	183	559
Huntington	190	146	161	497
Middlefield	21	40	14	75
NORTHAMPTON	3,382	1,912	2,124	7,418
Pelham	38	47	18	103
Plainfield	9	58	18	85
Prescott	–	13	–	13
South Hadley	1,102	580	636	2,318
Southampton	119	96	67	282
Ware	851	395	587	1,833
Westhampton	34	62	25	121
Williamsburg	226	312	201	739
Worthington	65	38	18	121
Totals	9,140	6,017	6,234	21,391

County of Middlesex.

Acton	420	279	205	904
Arlington	6,609	2,436	2,732	11,777
Ashby	114	77	25	216
Ashland	380	277	156	813
Ayer	479	292	270	1,041
Bedford	304	180	167	651
Belmont	4,276	1,490	1,733	7,499
Billerica	840	538	384	1,762
Boxborough	34	64	9	107
Burlington	204	135	131	470
CAMBRIDGE	16,258	5,102	10,920	32,280
Carlisle	79	72	35	186
Chelmsford	1,213	614	496	2,323
Concord	1,241	617	490	2,348
Dracut	743	470	397	1,610
Dunstable	58	41	36	135
EVERETT	5,994	2,223	4,408	12,625
Framingham	2,977	2,121	1,697	6,795
Groton	451	325	145	921
Holliston	405	485	242	1,132
Hopkinton	401	366	283	1,050
Hudson	1,031	624	753	2,408
Lexington	1,679	902	502	3,083
Lincoln	235	127	102	464
Littleton	230	156	95	481
LOWELL	18,117	5,395	7,526	31,038
MALDEN	7,972	2,872	5,876	16,720
MARLBOROUGH	2,458	1,643	1,603	5,704
Maynard	873	448	563	1,884
MEDFORD	8,980	3,103	6,073	18,156
MELROSE	5,594	2,196	1,648	9,438
Natick	2,649	1,455	1,391	5,495
NEWTON	12,611	4,347	5,089	22,047
North Reading	212	144	111	467
Pepperell	457	261	210	928
Reading	2,065	881	700	3,646
Sherborn	150	130	54	334
Shirley	253	192	99	544
SOMERVILLE	15,396	6,231	10,112	31,739
Stoneham	1,852	754	857	3,463
Stow	152	159	66	377
Sudbury	225	153	76	454
Tewksbury	350	180	178	708
Townsend	246	154	115	515
Tyngsborough	166	94	60	320
Wakefield	2,683	1,427	1,243	5,353
WALTHAM	5,999	2,690	2,822	11,511
Watertown	5,247	1,972	2,611	9,830
Wayland	451	282	198	931
Westford	402	287	226	915

County of Middlesex — Concluded.

Cities and Towns.	Yes.	No.	Blanks.	Total Votes.
Weston	660	349	149	1,158
Wilmington	529	276	246	1,051
Winchester	2,876	954	788	4,618
WOBURN	2,963	1,619	1,607	6,189
Totals	149,243	60,661	78,710	288,614

County of Nantucket.

Nantucket	393	217	647	1,257

County of Norfolk.

Avon	357	226	251	834
Bellingham	263	240	212	715
Braintree	2,671	1,101	1,208	4,980
Brookline	8,864	2,781	4,167	15,812
Canton	1,090	585	458	2,133
Cohasset	630	309	283	1,222
Dedham	2,313	1,346	1,044	4,703
Dover	189	106	79	374
Foxborough	520	626	224	1,370
Franklin	767	603	605	1,975
Holbrook	541	342	445	1,328
Medfield	276	281	174	731
Medway	330	453	298	1,081
Millis	155	312	130	597
Milton	3,482	1,203	1,632	6,317
Needham	2,032	920	813	3,765
Norfolk	166	114	47	327
Norwood	2,409	1,171	1,232	4,812
Plainville	205	191	128	524
QUINCY	11,348	5,019	5,512	21,879
Randolph	958	537	709	2,204
Sharon	615	427	211	1,253
Stoughton	1,198	640	727	2,565
Walpole	1,071	576	550	2,197
Wellesley	2,387	770	585	3,742
Westwood	302	223	177	702
Weymouth	3,001	1,536	1,484	6,021
Wrentham	257	291	160	708
Totals	48,397	22,929	23,545	94,871

County of Plymouth.

Abington	888	629	622	2,139
Bridgewater	753	484	426	1,663
BROCKTON	9,946	4,934	5,816	20,696
Carver	62	104	48	214
Duxbury	254	226	144	624
East Bridgewater	421	416	272	1,109
Halifax	96	95	70	261
Hanover	335	277	176	788
Hanson	301	240	226	767
Hingham	1,297	607	463	2,367
Hull	523	182	288	993
Kingston	238	207	176	621
Lakeville	62	143	56	261
Marion	186	130	64	380
Marshfield	320	202	130	652
Mattapoisett	165	133	119	417
Middleborough	962	863	579	2,404
Norwell	227	154	90	471
Pembroke	158	140	63	361
Plymouth	1,449	701	947	3,097
Plympton	49	46	51	146
Rochester	58	97	37	192
Rockland	1,280	789	1,079	3,148
Scituate	676	349	262	1,287
Wareham	618	353	368	1,339
West Bridgewater	426	370	260	1,056
Whitman	1,243	772	887	2,902
Totals	22,993	13,643	13,719	50,355

County of Suffolk.

Cities and Towns.	Yes.	No.	Blanks.	Total Votes.
BOSTON	101,673	31,315	76,111	209,099
CHELSEA	4,042	1,413	4,022	9,477
REVERE	4,466	1,502	3,916	9,884
Winthrop	3,681	1,143	1,709	6,533
Totals	113,862	35,373	85,758	234,993

County of Worcester.

Ashburnham	296	120	106	522
Athol	1,086	1,060	690	2,836
Auburn	701	843	327	1,871
Barre	280	294	158	732
Berlin	119	195	81	395
Blackstone	384	531	433	1,348
Bolton	87	124	17	228
Boylston	160	101	56	317
Brookfield	182	187	98	467
Charlton	271	245	109	625
Clinton	2,061	1,417	1,331	4,809
Dana	39	70	14	123
Douglas	245	292	175	712
Dudley	357	322	392	1,071
East Brookfield	135	89	61	285
FITCHBURG	7,282	2,063	2,361	11,706
GARDNER	2,259	1,173	1,549	4,981
Grafton	737	557	562	1,856
Hardwick	268	203	189	660
Harvard	197	169	46	412
Holden	477	411	147	1,035
Hopedale	554	362	157	1,073
Hubbardston	80	114	40	234
Lancaster	348	223	129	700
Leicester	670	514	350	1,534
LEOMINSTER	3,128	1,383	1,831	6,342
Lunenburg	214	184	68	466
Mendon	93	165	68	326
Milford	1,267	1,446	1,508	4,221
Millbury	793	890	571	2,254
Millville	264	235	258	757
New Braintree	27	56	27	110
North Brookfield	388	361	309	1,058
Northborough	281	282	100	663
Northbridge	1,185	1,145	763	3,093
Oakham	39	66	16	121
Oxford	582	390	270	1,242
Paxton	51	108	27	186
Petersham	73	134	42	249
Phillipston	18	54	8	80
Princeton	70	84	28	182
Royalston	42	68	25	135
Rutland	157	176	49	382
Shrewsbury	840	662	346	1,848
Southborough	357	238	127	722
Southbridge	1,672	1,470	1,133	4,275
Spencer	915	637	674	2,226
Sterling	178	270	73	521
Sturbridge	218	191	146	555
Sutton	185	351	122	658
Templeton	395	341	228	964
Upton	277	275	218	770
Uxbridge	650	984	556	2,190
Warren	382	298	271	951
Webster	1,713	1,019	1,344	4,076
West Boylston	311	198	117	626
West Brookfield	143	221	98	462
Westborough	620	706	362	1,688
Westminster	168	140	64	372
Winchendon	846	333	412	1,591
WORCESTER	30,104	16,486	13,728	60,318
Totals	67,921	43,726	35,565	147,212

Aggregate of Votes.

Counties.	Yes.	No.	Blanks.	Total Votes.
BARNSTABLE	3,554	2,843	2,719	9,116
BERKSHIRE	14,078	12,463	10,533	37,074
BRISTOL	41,519	23,871	30,854	96,244
DUKES COUNTY	503	376	395	1,274
ESSEX	76,414	30,935	45,797	153,146
FRANKLIN	5,678	5,726	3,318	14,722
HAMPDEN	52,837	20,136	26,872	99,845
HAMPSHIRE	9,140	6,017	6,234	21,391
MIDDLESEX	149,243	60,661	78,710	288,614
NANTUCKET	393	217	647	1,257
NORFOLK	48,397	22,929	23,545	94,871
PLYMOUTH	22,993	13,643	13,719	50,355
SUFFOLK	113,862	35,373	85,758	234,993
WORCESTER	67,921	43,726	35,565	147,212
TOTALS	606,532	278,916	364,666	1,250,114

VOTES ON QUESTIONS OF PUBLIC POLICY UNDER CHAPTER 53, SECTION 19, GENERAL LAWS.

Return of Votes upon the Question "Shall the representatives from this district be instructed to vote in favor of part pay for the unemployed through a system of unemployment insurance?" submitted at the State Election, November 4, 1930, in the following Representative District.

Sixth Bristol Representative District.

Cities and Towns.	Yes.	No.	Blanks.	Total Votes.
Acushnet	452	133	337	922
NEW BEDFORD	6,518	1,289	3,243	11,050
Totals	6,970	1,422	3,580	11,972

Return of Votes upon the Question "Shall Malden's Representatives in the General Court be instructed to vote to request the President and U. S. Senate to enter into full co-operation and membership in the League of Nations, with the explanatory reservation that the United States shall not engage in war with any nation, except by vote of Congress, as provided in the U. S. Constitution, and such other reservations as they deem wise?" submitted at the State Election, November 4, 1930, in the following Representative District.

Twenty-first Middlesex Representative District.

Cities and Towns.	Yes.	No.	Blanks.	Total Votes.
MALDEN	6,050	4,590	6,080	16,720
Totals	6,050	4,590	6,080	16,720

VOTES ON THE QUESTION RELATIVE TO THE BOSTON ELEVATED RAILWAY COMPANY.

Return of Votes on the Question relative to the Boston Elevated Railway Company submitted to the Voters of the Metropolitan Transit District at the State Election held November 4, 1930.

Each voter shall make a cross in the space at the right of the plan which he desires to have adopted. No ballot shall be counted upon which the voter has made a cross in more than one such space.

Plan No. 1. Return to the Boston Elevated Railway Company of the management and operation of its railway system by terminating public management and operation thereof.

Plan No. 2. Continuation of public management and operation of the Boston Elevated Railway Company in accordance with such terms and conditions as may be agreed to by the stockholders of said company.

Plan No. 3. Purchase by the Metropolitan Transit District (which comprises the cities of Boston, Cambridge, Chelsea, Everett, Malden, Medford, Newton, Revere and Somerville and the towns of Arlington, Belmont, Brookline, Milton and Watertown), of the whole assets, property and franchises of the Boston Elevated Railway Company, the same thereafter to be owned, managed and operated by said district.

(In cities of Boston, Cambridge, Chelsea, Everett, Malden, Medford, Newton, Revere and Somerville, and towns of Arlington, Belmont, Brookline, Milton and Watertown).

Metropolitan Transit District.

Cities and Towns.	Plan No. 1.	Plan No. 2.	Plan No. 3.	Blanks.	Totals.
BOSTON	31,111	51,410	48,927	77,651	209,099
CAMBRIDGE	4,441	8,501	6,937	12,401	32,280
CHELSEA	798	2,483	1,976	4,220	9,477
EVERETT	1,587	2,979	2,943	5,116	12,625
MALDEN	2,004	4,861	3,106	6,749	16,720
MEDFORD	2,757	5,083	3,853	6,463	18,156
NEWTON	3,621	7,361	3,134	7,931	22,047
REVERE	726	1,300	4,171	3,687	9,884
SOMERVILLE	4,767	8,318	6,781	11,873	31,739
Arlington	1,864	3,483	3,327	3,103	11,777
Belmont	1,296	2,682	1,294	2,227	7,499
Brookline	2,796	5,562	2,524	4,930	15,812
Milton	1,255	2,303	873	1,886	6,317
Watertown	1,578	2,840	2,087	3,325	9,830
Totals	60,601	109,166	91,933	151,562	413,262

APPENDIX

The following table and the index to the Acts and Resolves of the current year have been prepared by WILLIAM E. DORMAN, Esq., and HENRY D. WIGGIN, Esq., counsel, respectively, to the Senate and House of Representatives, in accordance with section fifty-one of chapter three of the General Laws.

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Sect. 18 amended, 1922, 334; 1924, 466; revised, 1931, 301 § 1. (See 1930, 400 §§ 5, 7–9.)

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SECT. 23 amended, 1930, 210 § 1.

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SECT. 22 amended, 1927, 81.

SECT. 24 amended, 1928, 296 § 1.

SECT. 25 amended, 1922, 441.

SECT. 29, sentence added at end, 1925, 348 § 1.

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SECTS. 33–35 added, 1923, 470 § 1 (relative to the board of registration of certified public accountants).

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SECT. 25 amended, 1923, 362 § 28. (See 1922, 545 §§ 1, 5.)
SECT. 26 amended, 1923, 362 § 29. (See 1922, 545 §§ 1, 5.)
SECT. 27 amended, 1923, 387; revised, 1930, 5.
SECT. 29 amended, 1923, 362 § 30. (See 1922, 545 §§ 1, 5.)
SECT. 31, sentence added at end, 1928, 183 § 1. (See 1928, 183 § 2.)
SECT. 33 amended, 1923, 362 § 31; repealed, 1931, 426 § 2. (See 1922, 545 §§ 1, 5.)
SECT. 34 amended, 1922, 10.
SECT. 38 revised, 1926, 197 § 1.
SECT. 43 repealed, 1926, 143.
SECT. 48 amended, 1923, 362 § 32. (See 1922, 545 §§ 1, 5.)
SECT. 50 amended, 1923, 362 § 33. (See 1922, 545 §§ 1, 5.)
SECT. 56 amended, 1923, 362 § 34. (See 1922, 545 §§ 1, 5.)
SECT. 58 amended, 1923, 362 § 35. (See 1922, 545 §§ 1, 5.)
SECT. 61 amended, 1923, 362 § 36. (See 1922, 545 §§ 1, 5.)

Chapter 30. — General Provisions relative to State Departments, Commissions, Officers and Employees.

Reclassification by the commission on administration and finance of certain appointive offices and positions in the government of the commonwealth and an investigation of certain statutory and other salaries, 1926, Resolve 45.

Establishment of commission on administration and finance and provision for a central purchasing agency, see 1922, 545; 1923, 362.

SECT. 1 amended, 1923, 362 § 37; revised, 1931, 426 § 138.
SECT. 6 revised, 1921, 275.
SECT. 6A added, 1930, 56 (authorizing the designation of persons to perform the duties of members, ex officiis, of permanent state boards and commissions).
SECT. 7 revised, 1923, 362 § 38.
SECT. 7A added, 1921, 449 § 3 (rendering women eligible to hold state office); amended, 1922, 371 § 1.
SECT. 7B added, 1931, 153 (requiring registration with the state secretary in case of the change of name of women holding certain state offices).

Sect. 10, first sentence stricken out, 1931, 426 § 3.
Sect. 13 amended, 1927, 74; revised, 1930, 212.
Sect. 15 amended, 1923, 362 § 39. (See 1922, 545 §§ 1, 5.)
Sect. 25 amended, 1923, 362 § 40.
Sect. 27 revised, 1921, 225; amended, 1923, 362 § 41.
Sect. 30A added, 1923, 362 § 42 (relative to a uniform style of letterhead for executive and administrative officers, departments and institutions).
Sect. 33 amended, 1922, 24 § 2; 1923, 362 § 43. (See 1922, 545 §§ 1, 6.)
Sect. 33A added, 1930, 6 § 2 (requiring state officers and departments to include in their annual reports recommendations for the avoidance of special legislation).
Sect. 35 amended, 1923, 362 § 44. (See 1922, 545 §§ 1, 4, 17.)
Sect. 35A added, 1930, 222 (providing for the furnishing of information to municipalities in the several metropolitan districts relative to the amount of assessments recommended to be made upon said municipalities for certain new state projects and undertakings).
Sect. 36 revised, 1923, 362 § 45. (See 1922, 545 §§ 1, 9–13.)
Sect. 38 amended, 1923, 362 § 46. (See 1922, 545 §§ 1, 4, 17.)
Sect. 39 amended, 1922, 416; 1929, 111.
Sect. 42 amended, 1923, 362 § 47. (See 1922, 358, 545 §§ 1, 9–13.)
Sect. 44A added, 1927, 135 (providing for the conveyance or transfer of control of any state land needed for the laying out or relocation of a highway).
Sect. 45 amended, 1923, 362 § 48; first sentence amended, 1930, 400 § 6. (See 1922, 545 §§ 1, 4, 17.)
Sect. 46 amended, 1923, 362 § 49; sentence added at end, 1931, 301 § 101. (See 1922, 545 §§ 1, 4, 17.)
Sect. 47 revised, 1923, 362 § 50. (See 1922, 545 §§ 1, 4, 17.)
Sect. 48. See 1922, 545 §§ 1, 4, 17.
Sect. 49 amended, 1923, 362 § 51. (See 1922, 545 §§ 1, 4, 17.)
Sect. 50. See 1922, 545 §§ 1, 4, 17.
Sects. 51 and 52 added, 1923, 362 § 52 (relative to the purchase of certain materials, supplies and other property by executive and administrative departments of the commonwealth).

Chapter 31. — Civil Service.

Temporary act, extending to May 15, 1932, the existing preference in the classified labor service to persons with dependents, 1931, 316.
Sect. 2 amended, 1930, 167 § 2.
Sect. 3, paragraph added at end, 1930, 227.
Sect. 4 amended, 1924, 197; paragraph added at end, 1929, 134; paragraph added at end, 1930, 34.
Sect. 5 amended, 1923, 130.
Sect. 13 amended, 1930, 242.
Sect. 13A added, 1930, 423 (relative to physical requirements for promotion in police and fire departments).
Sect. 17 amended, 1922, 36; revised, 1929, 306.
Sect. 19 revised, 1931, 125.
Sect. 20A added, 1930, 160 (relative to appointments to the regular police forces in certain cities and towns).

SECT. 21 amended, 1924, 155.
SECT. 23 revised, 1922, 463.
SECT. 26 amended, 1924, 181; repealed, 1925, 220 § 1.
SECT. 27 amended, 1931, 426 § 53.
SECT. 31 revised, 1922, 31.
SECTS. 42A and 42B added, 1923, 242 § 1 (changing the civil service laws relative to certain police officers in certain cities and towns).
SECT. 42A (inserted by 1923, 242 § 1) amended, 1925, 220 § 2.
SECT. 44 repealed, 1923, 242 § 2.
SECT. 45 revised, 1925, 220 § 3.
SECT. 46 amended, 1925, 220 § 4.
SECT. 46A added, 1930, 243 (limiting the time within which petitions for writs of mandamus may be brought to compel reinstatement of certain persons to positions in the classified civil service).
SECT. 46B added, 1931, 360 (requiring notification of separation from the classified civil service to persons separated therefrom through no fault of their own).

Chapter 32. — Retirement Systems and Pensions.

As to retirement allowances based on annuity and pension contributions for employees of the city of Boston or of the county of Suffolk, see 1922, 521 and amendments.
Provision for a special commission to investigate the subject of old age and other pensions, see 1923, Resolve 43; 1924, Resolves 33, 35, 44.
SECTS. 1–5 affected, 1921, 486 § 4, 487 § 7.
SECT. 1 amended, 1922, 341 § 1; paragraph defining "continuous service" amended, 1931, 378 § 1.
SECT. 2, paragraph (1) revised, 1924, 264; paragraph (3), two sentences added at end, 1921, 439 § 1; paragraph (4) amended, 1925, 12; paragraph (8) revised, 1928, 248 § 1; paragraph (9) revised, 1921, 487 § 4; paragraph (10) added, 1921, 487 § 5; paragraph (11) added, 1928, 248 § 2.
SECT. 3, paragraph (4) amended, 1922, 341 § 2.
SECT. 4, paragraph (*2*) *B* (*e*) added, 1921, 487 § 6; section revised, 1926, 300 § 1; paragraph (*2*) *A* (*a*) revised, 1929, 366.
SECT. 5 (paragraph in lines 51–64) revised, 1926, 300 § 2; (paragraph in lines 78–83) revised, 1922, 341 § 3; paragraph (*2*) *A* (*b*) stricken out and paragraphs (*2*) *A* (*b*) and (*2*) *A* (*c*) substituted, 1925, 244 § 1; paragraph (*2*) *A* (*b*), as appearing in 1925, 244 § 1, revised, 1930, 335 § 1; paragraph (*2*) *B* (*b*) revised, 1923, 205 § 1, 1925, 244 § 2, 1930, 335 § 2; (paragraphs in lines 84–98) revised, 1931, 426 § 139; paragraph (*2*) *C* (*d*) added, 1927, 101 (regulating the crediting of interest to certain members of the state retirement association for periods between interest compounding days); paragraph (*2*) *E* amended, 1922, 341 § 4; revised, 1923, 205 § 2; 1929, 367; paragraph (*2*) *F* added, 1930, 335 § 3; paragraph (*2*) *G* added, 1931, 378 § 2.
SECTS. 6–19 not applicable to supervisors of attendance, 1928, 184 § 3.
SECT. 6 (paragraph in lines 20–23) amended, 1924, 281 § 1; (paragraph in lines 31–33) revised, 1925, 228 § 1.
SECT. 7, paragraph (3) amended, 1924, 263 § 1; 1927, 173; paragraph (4) amended, 1929, 365 § 1.

SECT. 8, subsection (4) repealed, 1930, 238 § 2.

SECT. 9, paragraph (2) amended, 1929, 365 § 2; sentence added at end, 1930, 238 § 1.

SECT. 10 extended, 1921, 460; paragraph (5) amended, 1929, 365 § 3; affected, 1929, 365 § 6; paragraph (19) added, 1929, 365 § 4.

SECT. 11, paragraph (1) amended, 1923, 381 § 1; paragraph (5) added, 1926, 212; paragraph (6) added, 1931, 310.

SECT. 16, paragraph (1) amended, 1922, 521 § 33; revised, 1924, 250.

SECT. 18 revised, 1923, 381 § 2.

SECT. 19 amended, 1929, 365 § 5.

SECTS. 20–25 affected, 1921, 413; 1923, 479 § 3.

SECT. 20 (paragraph in lines 9 and 10) amended, 1924, 281 § 2; revised, 1926, 378 § 1.

SECT. 22, paragraphs (6)–(10) added, 1930, 413.

SECT. 25, paragraph (*2*) *C* (*a*) amended, 1921, 480; paragraph (*2*) *B* (*b*) revised, 1923, 190 § 1; paragraph (*2*) *E* revised, 1923, 190 § 2.

SECT. 33 amended, 1930, 335 § 4.

SECT. 34 amended, 1930, 238 § 3.

SECT. 46 amended, 1921, 402; 1926, 343 § 7; 1931, 426 § 140.

SECTS. 49–60. See 1922, 521 § 32.

SECT. 49, last sentence amended, 1921, 279; same sentence amended, 1931, 394 § 204.

SECT. 56 amended, 1922, 261.

SECT. 57 amended, 1923, 386.

SECT. 59 amended, 1931, 426 § 141.

SECT. 60A added, under caption "ARMY NURSES", 1930, 161 (conferring upon certain army nurses in the public service the retirement rights now enjoyed by certain veterans).

SECT. 61 amended, 1921, 486 § 3; revised, 1931, 426 § 142; affected, 1931, 426 § 147. (See 1923, 375; 1926, 380 § 6.)

SECT. 62 revised, 1931, 426 § 143; affected, 1931, 426 § 147. (See 1923, 375; 1926, 380 § 6.)

SECT. 63 amended, 1921, 486 § 4, 487 § 7; revised, 1931, 426 § 144; affected, 1931, 426 § 147.

SECT. 64 revised, 1931, 426 § 145; affected, 1931, 426 § 147.

SECT. 65 revised, 1921, 413; 1923, 479 § 3; 1931, 426 § 146; affected, 1931, 426 § 147.

SECT. 66 amended, 1923, 407 § 3.

SECT. 68 revised, 1921, 487 § 1.

SECT. 69 revised, 1921, 487 § 2.

SECT. 71 amended, 1921, 487 § 3; revised, 1928, 402 § 2; 1929, 308 § 2; affected, 1929, 308 §§ 3, 4; amended, 1930, 241 § 2; affected, 1930, 241 § 3; amended, 1931, 385 § 2; affected, 1931, 385 § 3.

SECT. 73 repealed, 1931, 426 § 148.

SECT. 74 revised, 1921, 487 § 8; affected, 1922, 266; amended, 1931, 426 § 54.

SECT. 77, paragraph (*b*) amended, 1923, 458 § 1; same paragraph revised, 1931, 426 § 149.

SECT. 80 amended, 1921, 337 § 1; 1930, 70.

SECT. 81 amended, 1928, 252.

SECT. 85 revised, 1931, 161.

SECT. 85A added, 1921, 337 § 2 (relative to retirement of members of fire departments in towns).

SECT. 87 amended, 1923, 178; 1924, 371; revised, 1928, 402 § 3; repealed, 1930, 182 § 5.

SECT. 87A added, 1924, 504 § 2 (providing annuity payments to families of certain deceased members of the department of public safety); repealed, 1928, 402 § 4.

SECT. 88, sentence added at end, 1928, 402 § 5; section revised, 1930, 182 § 2.

SECT. 89 revised, 1924, 504 § 3; 1928, 402 § 1; 1929, 308 § 1; affected, 1929, 308 §§ 3, 4; amended, 1930, 182 § 1; revised, 1930, 241 § 1; affected, 1930, 241 § 3; amended, 1931, 385 § 1; affected, 1931, 385 § 3. (See 1928, 402 §§ 7, 8; 1930, 182 § 4.)

SECT. 90 revised, 1931, 426 § 62.

SECT. 92 revised, 1926, 289.

Chapter 33. — Militia.

For a complete list of temporary war legislation prior to 1921, see table of changes for 1920 under chapter 16 of the Revised Laws, superseded by chapter 33 of the General Laws.

State pay and "bonus" for war service, 1917, 211, 332; 1918, 92; 1919, 283 [§ 17 repealed by 1924, 448 § 2]; 1920, 51, 250, 609; 1922, 457. 1921, 326 and 1922, 240, extending time for filing applications for payments to November 30, 1921, and further to November 30, 1923. Time limit for filing applications abolished, 1927, 206. (See 1924, 452.) 1921, 354, entitling student nurses of medical department of United States army during world war to receive the "bonus". 1924, 447, enlarging class of persons to whom payment may be made. 1924, 448, entitling "yeomen F" to receive the "bonus".

Commission to ascertain the most appropriate methods of caring for the graves of American dead in foreign soil, revived and continued, 1921, 448; 1922, 455; 1923, Resolve 73; 1924, Resolve 50; 1925, 310.

Military supplies, etc., not required to be purchased through central purchasing agency, see 1922, 545 §§ 10–12; 1923, 362 § 1 subsect. 22, § 52.

The purchase of certain historical works relative to the service of Massachusetts men in the army or navy during the civil, Spanish or world war authorized, 1923, 193; 1924, 246.

Establishment of an unpaid special commission to provide for the preparation of a suitable history of Massachusetts' part in the world war, see 1923, 408. See also 1927, Resolve 37; 1928, Resolve 23.

Chapter 33 repealed and superseded by 1924, 465.

The following references are to the original Chapter 33:

SECT. 6 revised, 1922, 152.

SECT. 28 revised, 1921, 359 § 1.

SECT. 30 amended, 1921, 276.

SECT. 35A added, 1923, 459 § 10 (relative to the assessment upon cities and towns of the expense of certain services performed by the land or naval forces of the commonwealth).

SECT. 52, subsect. (*a*) amended, 1922, 344; section revised, 1924, 257.

SECT. 64 amended, 1923, 101. (See 1924, 80.)

SECT. 72 amended, 1923, 413 § 2.

SECT. 86, subsect. (*a*) revised, 1921, 359 § 2; subsect. (*b*) revised, 1923, 459 § 1.

SECT. 100 revised, 1923, 459 § 2.

SECT. 145, subsect. (*a*) revised, 1923, 459 § 3.
SECT. 146 revised, 1923, 459 § 4.
SECT. 151, subsect. (*a*) revised, 1923, 459 § 5.
SECT. 152, paragraph (*c*) added, 1923, 459 § 6 (relative to investigations as to claims for injury to private property by members of the volunteer militia).
SECT. 154, subsect. (*a*) revised, 1921, 359 § 3.
SECT. 157, paragraphs (*b*) and (*c*) repealed, 1922, 445 § 1; paragraph (*a*) revised, 1923, 459 § 7.
SECT. 160 amended, 1922, 445 § 2; revised, 1923, 459 § 8.
SECT. 161 revised, 1923, 459 § 9.
SECT. 176, subsect. (*a*) revised, 1923, 459 § 11.
SECT. 180, paragraph added at end, 1924, 396 § 1.
SECT. 254 amended, 1924, 396 § 2.

The following references are to new Chapter 33, inserted by 1924, 465:

SECT. 22, paragraph in lines 18–23 amended, 1927, 19; third paragraph revised, 1931, 262.
SECT. 41 amended, 1931, 426 § 63.
SECT. 48, subsect. (*d*) amended, 1925, 230.
SECT. 60 amended, 1927, 120; 1930, 72; 1931, 63 § 1.
SECT. 67 revised, 1930, 157.
SECT. 69 amended, 1927, 291.
SECT. 83, second sentence amended, 1930, 226.
SECT. 98 revised, 1931, 129.
SECT. 138, paragraph (*c*) revised, 1926, 286.
SECT. 145, paragraph (*d*) added, 1926, 373 § 1; revised, 1930, 148 § 1. (See 1926, 396.)
SECT. 151 revised, 1925, 270.

Chapter 34. — Counties and County Commissioners.

SECT. 3A added, 1921, 449 § 4 (rendering women eligible to county offices); amended, 1922, 371 § 2.
SECT. 5, schedule revised, 1927, 327 § 1; section revised, 1930, 400 § 1.
SECT. 6 repealed, 1930, 400 § 2.
SECT. 7 revised, 1930, 400 § 3.
SECTS. 9A–9E added, 1922, 123 (defining the records of county commissioners).
SECT. 9B amended, 1931, 426 § 150.
SECT. 11 amended, 1922, 423 § 3; 1930, 299. (See 1930, 400 §§ 5, 7–9.)
SECT. 17 revised, 1922, 383.

Chapter 35. — County Treasurers, State Supervision of County Accounts, and County Finances.

SECT. 3 amended, 1924, 404 § 2.
SECT. 4 revised, 1931, 301 § 4. (See 1930, 400 §§ 5, 7–9.)
SECT. 5 repealed, 1931, 301 § 5. (See 1930, 400 §§ 5, 7–9.)
SECT. 6 revised, 1921, 300 § 1; repealed, 1931, 301 § 5. (See 1930, 400 §§ 5, 7–9.)
SECT. 7 amended, 1931, 301 § 6. (See 1930, 400 §§ 5, 7–9.)
SECT. 17 repealed, 1931, 426 § 4.
SECT. 18 amended, 1931, 426 § 5.

SECT. 22 amended, 1927, 96 § 1.

SECT. 23 revised, 1927, 96 § 2; amended, 1931, 426 § 151.

SECT. 23A added, 1929, 42 (relative to the disposition of unclaimed accounts carried on the books of certain county officers).

SECT. 26 amended, 1923, 334 § 1.

SECT. 27A added, 1930, 400 § 4 (requiring funds of institutions, boards and other public bodies to the use of which county funds are contributed to be in the custody of the county treasurer).

SECT. 28 amended, 1921, 336; 1926, 58; revised, 1931, 458 § 2.

SECT. 30 amended, 1922, 127.

SECT. 36A added, 1925, 74 (authorizing the borrowing of money by counties to meet extraordinary expenditures in cases of emergency).

SECT. 37A added, 1922, 122 (relative to the borrowing of money by counties and to the use of proceeds and premiums).

SECT. 38 amended, 1923, 428.

SECT. 39 amended, 1921, 22.

SECT. 42 revised, 1931, 301 § 7. (See 1930, 400 §§ 5, 7–9.)

SECT. 43A added, 1924, 404 § 3 (requiring surety company bonds from certain county officers and employees).

SECTS. 44–47. See 1921, 486 § 2.

SECTS. 48–56 added, under caption "COUNTY PERSONNEL BOARD AND CLASSIFICATION OF COUNTY SALARIES, OFFICES AND POSITIONS", 1930, 400 § 5.

SECT. 49 amended, 1931, 254 § 1, 301 § 8. (See 1931, 254 § 2.)

SECT. 50. See 1930, 400 § 7.

SECT. 54, second paragraph amended, 1931, 301 § 9.

Chapter 36. — Registers of Deeds.

SECT. 6 revised, 1926, 98 § 1.

SECT. 8 amended, 1931, 301 § 10. (See 1930, 400 §§ 5, 7–9.)

SECT. 13 revised, 1926, 130; 1930, 267; 1931, 80.

SECT. 13A added, 1927, 150 (relative to the filing of plans in registries of deeds).

SECT. 19 revised, 1929, 61.

SECT. 24 amended, 1927, 63 § 1; revised, 1928, 386 § 1.

SECT. 31A added, 1921, 207 (registers of deeds to notify commissioner of corporations and taxation of the recording of certain deeds and declarations of trust).

SECT. 33 revised, 1931, 301 § 11. (See 1921, 422; 1930, 400 §§ 5, 7–9.)

SECT. 34 revised, 1921, 422 § 1; 1928, 247; repealed, 1931, 301 § 12. (See 1930, 400 §§ 5, 7–9.)

SECT. 35 amended, 1924, 349 § 1; repealed, 1931, 301 § 12. (See 1930, 400 §§ 5, 7–9.)

SECT. 36 revised, 1922, 301; repealed, 1931, 301 § 12. (See 1930, 400 §§ 5, 7–9.)

SECT. 38 revised, 1931, 301 § 13. (See 1930, 400 §§ 5, 7–9.)

Chapter 37. — Sheriffs.

SECT. 2 amended, 1924, 404 § 4.

SECT. 6 repealed, 1924, 404 § 5.

SECT. 7 amended, 1924, 404 § 6.

SECT. 16 amended, 1931, 426 § 152.
SECT. 17 revised, 1931, 301 § 14. (See 1930, 400 §§ 5, 7–9.)
SECT. 18 repealed, 1931, 301 § 15. (See 1930, 400 §§ 5, 7–9.)
SECT. 19 revised, 1924, 372 § 1; 1925, 131 § 1; 1927, 183 § 1; repealed, 1931, 301 § 15. (See 1930, 400 §§ 5, 7–9.)
SECT. 20 repealed, 1931, 301 § 15. (See 1930, 400 §§ 5, 7–9.)

Chapter 38. — Medical Examiners.

SECT. 1 (paragraph in lines 38–43) amended, 1926, 12; second paragraph amended, 1931, 222 § 1; section amended, 1931, 426 § 153.
SECT. 3, last sentence stricken out, 1924, 404 § 7.
SECT. 5 amended, 1923, 439 § 1; 1927, 200 § 1; revised, 1927, 277 § 1. (See 1930, 400 §§ 5, 7–9.)
SECT. 11 amended, 1923, 362 § 53.
SECT. 15 amended, 1931, 394 § 109.

Chapter 39. — Municipal Government.

SECT. 13 amended, 1921, 486 § 5; revised, 1925, 66.
SECT. 15. See 1931, 336.
SECT. 16 revised, 1923, 388; paragraph added at end, 1929, 276.

Chapter 40. — Powers and Duties of Cities and Towns.

For the repeal of certain special acts authorizing the incurring of liabilities by municipal officers without appropriation, see 1928, 396 § 2.
SECT. 4 amended, 1926, 67; 1928, 155 § 1; revised, 1929, 323.
SECT. 5, cl. (1) amended, 1924, 404 § 8; 1931, 458 § 3; cl. (12) revised, 1921, 486 § 6; 1923, 202, 401; amended, 1927, 16; 1928, 9; 1929, 9; revised, 1929, 108; amended, 1931, 41 § 2; revised, 1931, 63 § 2, 348; cl. (21) revised, 1921, 371 § 1; cl. (21A) added, 1921, 371 § 2 (authorizing towns to appropriate money for purchase, etc., of ambulances); cl. (26) revised, 1930, 46; cl. (30) stricken out [and inserted at end of section as unnumbered cl.] and new cl. (30) (for contributions toward the cost of street railway service therein) inserted, 1931, 426 § 154; cl. (31) added, 1924, 248 § 1 (for establishment and maintenance of children's health camps); amended, 1925, 17 § 1; cl. (32) added, 1924, 504 § 4 (for payment of hospital, medical and surgical expenses of certain persons doing police duty); cl. (33) added, 1926, 116 (for acquiring land for public parking places and maintaining the same); cl. (34) added, 1928, 36 (for certain traveling and other expenses of municipal officers and employees); cl. (35) added, 1928, 350 § 1 (for airport purposes); cl. (36) added, 1929, 288 § 6 (for improvement of low lands and swamps and eradication of mosquitoes); revised, 1930, 96; cl. (37) added, 1930, 277 (in connection with the holding of conventions and the entertainment of distinguished guests); unnumbered cl. added at end, 1931, 426 § 154 (for compensation of certain officers, and all other necessary charges [formerly cl. (30)]).
SECT. 6A added, 1930, 223 (for municipal advertising).
SECT. 6B added, 1930, 351 (for the purchase of uniforms for members of police and fire departments).
SECT. 7A added, 1930, 365 (relative to the appropriation of money by cities and towns for the prevention of automobile accidents).

SECT. 9 amended, 1921, 80; revised, 1923, 122. (See 1921, 169, authorizing city of Boston to utilize schoolhouse property to provide quarters for organizations of war veterans.)

SECT. 9A added, 1921, 227 (authorizing cities and towns to provide quarters for camps of the United Spanish War Veterans).

SECT. 11 amended, 1921, 252.

SECT. 12A added, 1928, 51 (authorizing cities and towns to establish and maintain plants for the purpose of purifying shellfish taken therein).

SECT. 13A added, 1923, 234 (authorizing cities and towns to establish insurance funds to pay workmen's compensation).

SECT. 13B added, 1925, 303 § 1 (authorizing small towns to appropriate money for free residence quarters for school physicians).

SECT. 14 amended, 1921, 486 § 7; 1923, 266; 1925, 272. (See 1931, 336.)

SECT. 19 amended, 1931, 426 § 155.

SECT. 21, paragraph (14) added, 1928, 319; paragraph (15) added, 1931, 159.

SECT. 22 amended, 1928, 357 § 6.

SECTS. 25–33. See 1924, 488; 1925, 219; 1926, 350; 1927, 220; 1928, 70, 137 § 2; 1929, 88; 1930, 347; 1931, 16, 180, for special zoning provisions for Boston.

SECT. 25 amended, 1925, 116 § 1.

SECT. 27 amended, 1925, 116 § 2.

SECT. 27A added, 1924, 133 (relative to appeals under ordinances or by-laws limiting buildings to specified zones or districts).

SECT. 29 amended, 1925, 116 § 3.

SECT. 30 amended, 1922, 40; revised, 1926, 59; amended, 1926, 216; revised, 1929, 39.

SECT. 30A added, 1927, 247 (relative to the effect on prior permits of the adoption or modification of zoning ordinances and by-laws).

SECT. 32A added, 1929, 369 (relative to the publication of ordinances and proposed ordinances in certain cities).

SECT. 40 revised, 1926, 318; 1931, 235.

SECTS. 42A–42F added, 1923, 391 (relative to the collection of water rates).

SECT. 42A amended, 1924, 107; 1927, 56.

SECT. 42B amended, 1924, 413.

SECT. 51 amended, 1931, 394 § 110.

Chapter 41. — Officers and Employees of Cities, Towns and Districts.

SECT. 1 amended, 1923, 66; paragraph in lines 13–15 revised, 1931, 394 § 111; paragraph in lines 30 and 31 revised, 1925, 178. (See 1921, 65, rendering women eligible to elective municipal office in Boston.)

SECT. 4A added, 1929, 36 (relative to the appointment by town boards of their members to hold other town offices or positions).

SECT. 13 revised, 1931, 94.

SECT. 15 amended, 1924, 109.

SECT. 15A added, 1922, 86 (relative to the certification of appropriation orders by city and town clerks); amended, 1923, 17.

SECT. 20 amended, 1931, 394 § 112.

SECT. 21 amended, 1921, 130; first paragraph amended, 1931, 394 § 113.

SECT. 24A added, 1921, 208 (election or appointment of assistant assessors in cities); revised, 1928, 287.

SECT. 25A added, 1921, 14 (authorizing assessors in towns to appoint assistant assessors).

SECTS. 31, 32, 32A (inserted by 1925, 303 § 2), 33, 34 and 34A (inserted by 1923, 26), and caption preceding section 31, stricken out, and new sections 31–34, under caption "BOARD OF PUBLIC WELFARE", inserted, 1931, 426 § 156.

SECT. 35 revised, 1926, 65 § 1.

SECT. 38A added, 1924, 16 (relative to the collection by collectors of taxes of accounts due to cities and towns); amended, 1926, 269 § 3.

SECT. 50, sentence added at end, 1924, 33 § 1.

SECT. 53, sentence added at end, 1924, 33 § 2.

SECT. 54A added, 1922, 135 (requiring annual notification to the assessors by certain city and town officials of receipts of the preceding year).

SECT. 55 amended, 1921, 486 § 8.

SECT. 56 amended, 1922, 84.

SECT. 61A added, 1928, 207 (providing for the appointment of a temporary auditor, treasurer or accountant in a municipality in certain cases); section, with caption, stricken out, and new section, with new caption, inserted, 1930, 172.

SECT. 67 amended, 1931, 394 § 6.

SECT. 76 amended, 1922, 297.

SECT. 77, last sentence amended, 1921, 486 § 9.

SECT. 91A added, 1924, 82 § 1 (relative to the appointment of constables by selectmen).

SECT. 100 revised, 1927, 157; sentence added at end, 1929, 192.

SECT. 100A added, 1931, 458 § 4 (relative to the indemnification of city and town officers and employees for expenses or damages incurred in the defense or settlement of claims for bodily injury arising out of the operation of municipally owned motor vehicles).

SECT. 102A added, 1925, 303 § 3 (authorizing selectmen in certain small towns to appoint school physician as inspector of health).

SECT. 106A added, 1925, 303 § 4 (authorizing selectmen in certain small towns to appoint school physician as town physician).

SECT. 107 amended, 1927, 18; revised, 1929, 130.

SECT. 108 amended, 1931, 426 § 157. (See 1929, 36.)

SECT. 109A added, 1924, 404 § 9 (requiring surety company bonds from certain city, town and district officers and employees).

SECT. 111 amended, 1921, 486 § 10; 1923, 346; 1927, 131.

SECT. 111A added, 1929, 206 (providing for vacations for members of the regular or permanent police and fire forces in towns).

Chapter 42. — Boundaries of Cities and Towns.

Boundary line between Carver and Middleborough established, 1921, 82; between Cambridge, Belmont and Watertown, 1922, 181; between Walpole and Foxborough, 1924, 440; between Fitchburg and Leominster, 1925, 65; between Dover and Walpole, 1927, 176; between Norfolk and Walpole (portion), 1927, 179; between Marshfield and Scituate (portion), 1928, 159; between the counties of Plymouth and Norfolk (portion) and between Hingham and Cohasset (portion), 1928,

160; between Lawrence and Methuen, 1930, 261; between Bridgewater and East Bridgewater (portion), 1931, 220; between Walpole and Foxborough (portion), 1931, 307; between Newbury and Rowley (portion), 1931, 402.

SECT. 7 amended, 1931, 394 § 7.
SECT. 8 amended, 1931, 394 § 8.
SECT. 9 amended, 1931, 394 § 9.
SECT. 10 revised, 1923, 103.

Chapter 43. — City Charters.

SECT. 1 last paragraph amended, 1922, 237 § 1.
SECT. 8 amended, 1922, 237 § 2.
SECT. 9 revised, 1925, 188.
SECT. 15 revised, 1922, 237 § 3.
SECT. 17 amended, 1922, 237 § 4.
SECT. 28 amended, 1928, 300 § 1.
SECT. 29 amended, 1928, 300 § 2.
SECT. 31 amended, 1922, 237 § 5.
SECT. 36 revised, 1922, 237 § 6.
SECT. 40 amended, 1922, 237 § 7; 1931, 426 § 158.
SECT. 41, last sentence stricken out, 1931, 426 § 159.
SECTS. 44A–44H added, 1922, 282 § 1 (providing for the nomination at preliminary elections of candidates for elective municipal office in cities governed under a standard form of city charter).
SECT. 45 amended, 1922, 282 § 2.
SECT. 49 amended, 1931, 394 § 213.
SECT. 50 amended, 1922, 237 § 8.
SECT. 59 revised, 1922, 237 § 9.
SECT. 62 amended, 1923, 232. (See 1930, 349 § 2.)
SECT. 68 revised, 1922, 237 § 10.
SECT. 82 revised, 1922, 237 § 11.
SECT. 88 amended, 1929, 309.

Chapter 43A. — Standard Form of Representative Town Meeting Government.

New chapter added, 1931, 314.

Chapter 44. — Municipal Finance.

As to municipal indebtedness of the city of Boston, see 1909, 486 § 26; 1910, 437; 1911, 165; 1918, Sp. Acts 52; 1931, 225 § 2.

Relative to the maintenance and operation of municipal light plants, 1922, 184.

Temporary act, in force until July first, 1932, relative to investigations by the director of accounts of municipal accounts and financial transactions, 1926, 210; 1929, 335.

For the repeal of certain special acts authorizing the incurring of indebtedness or the payment of debt otherwise than as authorized by the General Laws, see 1928, 396 § 2.

SECT. 1, paragraph defining "division of highways" stricken out, 1931, 394 § 10.
SECT. 2 amended, 1928, 396 § 1.

SECT. 5A added, 1922, 28 (authorizing cities to borrow money to meet expenditures by city officials in anticipation of appropriations); revised, 1923, 359 § 1.

SECT. 6 amended, 1931, 394 § 11.

SECT. 6A added, 1921, 366 (authorizing towns to borrow money for highway purposes in anticipation of state or county reimbursement); amended, 1931, 394 § 12.

SECT. 7 amended, 1923, 338; cl. (17) affected, 1928, 64; section revised, 1928, 324; cl. (12) added, 1928, 350 § 2 (authorizing cities and towns to borrow money for airport purposes); section affected, 1931, 164.

SECT. 8, cls. (*3a*) and (*3b*) added, 1923, 303 § 1 (authorizing cities and towns to incur debt outside the debt limit for certain purposes); cl. (*3b*) revised, 1926, 317; cl. (*3c*) added, 1926, 45 (authorizing cities and towns to incur debt outside the statutory limit for constructing and laying aqueducts and large water mains); cl. (*5*) amended, 1921, 486 § 11; section revised, 1928, 291.

SECT. 10 amended, 1928, 379 § 2. (See 1931, 225 § 2.)

SECT. 17 amended, 1923, 303 § 2.

SECT. 18 amended, 1923, 303 § 3.

SECT. 19 amended, 1923, 359 § 2. (As to Boston, see 1909, 486 § 26; 1910, 437; 1911, 165.)

SECT. 20 amended, 1928, 224.

SECT. 22. As to rate of interest on securities issued by Boston, see 1918, Sp. Acts 52.

SECT. 24 amended, 1929, 28.

SECT. 24A added, 1921, 294 (relative to the form of notes issued by towns and districts).

SECT. 29. As to tax limit of Boston, see 1909, 490 I § 53; 1910, 521; 1913, 719 § 18; 1915, Sp. Acts 184 § 2, 304; 1916, Sp. Acts 267; 1918, Sp. Acts 120, 132 § 3; 1919, Sp. Acts 172, 206 § 10; 1920, 401, 524, 641 § 5; 1922, 205; 1923, 223; 1924, 328; 1925, 271; 1926, 117; 1927, 243; 1928, 200; 1929, 140; 1930, 105; 1931, 29.

SECTS. 29 and 30. As to the inclusion of the value of motor vehicles taxable under the excise tax law in ascertaining the amount of taxes assessable and the amount of departmental appropriations in certain cases, see 1930, 244 § 3.

SECT. 33A added, 1922, 250 (providing that the financial budgets of cities shall include provision for the salaries of officials).

SECT. 34. See 1922, 28.

SECT. 40 amended, 1926, 158.

SECT. 47. As to Boston, see 1909, 486 § 26; 1910, 437; 1911, 165.

SECT. 50 repealed, 1921, 486 § 12.

SECT. 53 amended, 1926, 205.

SECT. 55 amended, 1921, 486 § 13.

SECT. 55A added, 1929, 81 (relieving certain municipal officers from liability to their municipalities for the loss of public moneys by reason of the liquidation of certain depositories thereof).

SECT. 56 amended, 1926, 111.

SECT. 62 added, 1922, 253 (providing penalties for violation of the laws relative to municipal finance); amended, 1926, 248.

SECT. 63 added, 1923, 303 § 4 (requiring cities and towns to use the proceeds of the sale of real estate for certain purposes in certain cases).

Chapter 45. — Public Parks, Playgrounds and the Public Domain.

SECT. 2 revised, 1924, 209 § 1.
SECT. 3 revised, 1924, 209 § 2.
SECT. 10 repealed, 1924, 209 § 3.
SECT. 14, sentence added at end, 1928, 191.
SECT. 21 revised, 1927, 212.
SECT. 22, first sentence amended, 1931, 426 § 160.
SECTS. 23A–23C added, 1926, 387 (relative to the establishment and maintenance of shore reservations in certain towns).

Chapter 46. — Return and Registry of Births, Marriages and Deaths.

SECT. 3 amended, 1925, 281 § 1.
SECT. 5 amended, 1931, 165, 426 § 161.
SECT. 6 amended, 1931, 426 § 162.
SECT. 10 revised, 1926, 243 § 1.
SECT. 12 amended, 1931, 132; revised, 1931, 230.
SECT. 13 revised, 1925, 281 § 2; 1930, 169; fourth paragraph revised, 1931, 258.
SECT. 26 amended, 1929, 273.

Chapter 47. — Infirmaries (former title, Workhouses and Almshouses).

Chapter repealed and new chapter inserted by 1927, 203 § 1.
The following reference is to the new Chapter 47:
SECT. 12 repealed, 1931, 426 § 163.

Chapter 48. — Fires, Fire Departments and Fire Districts.

SECT. 8 amended, 1921, 274.
SECT. 13 amended, 1922, 515; 1927, 160; revised, 1930, 401 § 1.
SECT. 14 amended, 1927, 280 § 1; repealed, 1930, 401 § 2.
SECT. 15 revised, 1927, 280 § 2.
SECT. 20A added, 1922, 252 (relative to the operation of portable sawmills).
SECT. 21, last sentence stricken out, 1930, 399 § 2.
SECT. 24 amended, 1923, 214; 1927, 280 § 3.
SECT. 25, first sentence revised, 1931, 426 § 164.
SECT. 28A added, 1929, 284 (providing for a state fire patrol in certain counties).
SECT. 28B added, 1930, 309 (providing state aid to small towns in the prevention of forest fires).
SECT. 31 amended, 1925, 250 § 2.
SECT. 36 amended, 1923, 109.
SECT. 58 amended, 1931, 426 § 165.
SECT. 59A added, 1925, 250 § 1 (relative to the response of fire departments to calls for aid from other cities, etc.); paragraph added at end, 1927, 199.
SECTS. 59B–59D added under caption "RESERVE FIRE FORCES IN CITIES", 1928, 218 (providing for the establishment of reserve forces in the fire departments of cities).
SECT. 63 amended, 1928, 5.
SECT. 83 amended, 1923, 362 § 54; sentence added at end, 1928, 402 § 6; sentence added by 1928, 402 § 6 revised, 1930, 182 § 3.

SECT. 87 added, 1924, 343 (relative to rules and regulations of the department of public safety in respect to certain fire department equipment).

Chapter 49. — Fences, Fence Viewers, Pounds and Field Drivers.

SECT. 20 amended, 1931, 234.

Chapter 50. — General Provisions relative to Primaries, Caucuses and Elections.

SECT. 1, new paragraph added, 1923, 131 § 3; paragraphs in lines 3–6, 13–16, 34–38, and 75–80, stricken out, and new paragraphs respectively inserted, 1931, 426 § 166; paragraph in lines 39–47 amended, 1931, 394 § 214; paragraph in lines 50–55 revised, 1928, 212 § 1.

SECT. 6 revised, 1931, 426 § 167.

Chapter 51. — Voters.

Board of election commissioners and registration of voters in Boston, 1913, 835 §§ 76–87; 1915, 48, 91 § 7; 1917, 29 § 12; 1919, 269 §§ 1, 6, 7; 1920, 142; 1921, 93, 114 § 5.

For listing of voters in Boston, see 1917, 29; 1920, 145; 1921, 114; in Chelsea, 1917, 106; 1921, 84; in Cambridge, 1918, 282; 1921, 84; 1927, 99; 1930, 390; in Watertown, 1919, 108; 1921, 84; 1924, 137; in Lowell, 1923, 131.

Election commission and registration of voters in Lowell, 1920, 154; 1921, 115; in Cambridge, 1921, 239; listing board and registration of voters in Revere, 1925, 84; 1930, 42; election commissioners in Somerville, 1928, 82; 1929, 178 § 1.

SECT. 1 amended, 1922, 305; 1931, 426 § 168.

SECT. 2 revised, 1924, 106.

SECT. 4 amended, 1923, 131 § 4.

SECT. 5 amended, 1923, 131 § 5.

SECT. 6 revised, 1923, 131 § 6; 1925, 146.

SECT. 7 amended, 1923, 131 § 7.

SECT. 8 amended, 1923, 131 § 8.

SECT. 9 amended, 1923, 131 § 9; revised, 1931, 426 § 169.

SECT. 11 amended, 1923, 131 § 10.

SECT. 14A added, 1925, 183 (relative to the assessment of poll taxes and the making of certain lists in cities).

SECT. 15 revised, 1921, 102 § 1; amended, 1931, 426 § 170.

SECT. 16 revised, 1921, 102 § 2.

SECT. 17 amended, 1931, 426 § 171.

SECT. 22, sentence added at end, 1921, 156.

SECT. 26 amended, 1924, 204 § 1; revised, 1928, 103 § 1; amended, 1930, 326 § 1. (See 1929, 2.)

SECT. 27 amended, 1924, 204 § 2; revised, 1928, 103 § 2; amended, 1931, 426 § 172.

SECT. 28 revised, 1924, 204 § 3.

SECT. 29A added, 1930, 113 (providing for sessions of registrars of voters prior to special primaries).

SECT. 30 amended, 1928, 103 § 3.

SECT. 32 amended, 1931, 426 § 173.

SECT. 34 revised, 1930, 326 § 2.
SECT. 35 amended, 1923, 131 § 11.
SECT. 36 amended, 1921, 209 § 1.
SECT. 37 amended, 1921, 209 § 2; 1923, 131 § 12; revised, 1929, 280 § 1.
SECT. 39 amended, 1923, 131 § 13.
SECT. 42 amended, 1923, 131 § 14.
SECT. 43 amended, 1923, 131 § 15.
SECT. 44 amended, 1922, 166.
SECT. 50 revised, 1929, 128.
SECT. 55 amended, 1921, 209 § 3.
SECT. 57 amended, 1923, 238 § 1.
SECT. 59 amended, 1922, 189.
SECT. 61 revised, 1921, 209 § 4.
SECT. 62 amended, 1924, 252 § 1.

Chapter 52. — Political Committees.

SECT. 1 revised, 1927, 25 § 1; amended, 1927, 295.
SECT. 2 amended, 1925, 114 § 1; 1927, 25 § 2.
SECT. 4A added, 1928, 188 (remedying the evils resulting from the failure of election of a ward or town committee and the failure of such a committee to organize).
SECT. 5 amended, 1928, 212 § 2.
SECT. 6 amended, 1928, 212 § 3.
SECT. 7 revised, 1925, 114 § 2; paragraph added at end, 1928, 212 § 4.
SECT. 9 amended, 1926, 100.

Chapter 53. — Nominations, Questions to be submitted to the Voters, Primaries and Caucuses.

SECT. 3 amended, 1927, 24 § 1.
SECT. 6 revised, 1924, 201.
SECT. 7 amended, 1922, 214 § 1; 1923, 124.
SECT. 10, first paragraph amended, 1921, 387; 1930, 114.
SECT. 11 amended, 1927, 24 § 2; 1931, 426 § 174. (See 1909, 486 § 56; 1914, 730 § 6; 1921, 288 § 2; 1926, 105 § 3, as to time of filing objections to nomination papers of candidates for municipal office in Boston.)
SECT. 13. See 1909, 486 § 56; 1914, 730 § 6; 1921, 288 § 2; 1926, 105 § 3, as to time of withdrawal of nominations to municipal office in Boston.
SECT. 14 revised, 1929, 283.
SECT. 19 revised, 1925, 97.
SECT. 22A added, 1924, 302 § 1 (relative to fraudulent or invalid signatures appended to initiative and referendum petitions).
SECT. 28 amended, 1926, 96.
SECT. 34 amended, 1923, 302 § 1; revised, 1925, 312 § 1.
SECT. 35 amended, 1923, 302 § 2; revised, 1925, 312 § 2.
SECT. 37 amended, 1928, 89 § 1; 1931, 185 § 1. (See 1924, 252 §§ 1, 2.)
SECT. 38 amended, 1927, 110; 1931, 185 § 2. (See 1924, 252 §§ 1, 2.)
SECT. 44 amended, 1929, 135.

SECT. 46 amended, 1922, 214 § 2.
SECT. 48. See 1925, 76.
SECT. 51 revised, 1925, 29.
SECT. 53A added, 1927, 24 § 3 (relative to objections to nominations at state primaries and to withdrawals by persons nominated thereat).
SECT. 59. See 1921, 65, enabling women to sign nomination papers for candidates for municipal office in Boston.
SECT. 61 amended, 1922, 214 § 3. (See 1909, 486 § 56; 1914, 730 § 6; 1921, 288 § 2; 1926, 105 § 3, as to certificates, etc., of nomination papers of candidates for municipal office in Boston.)
SECT. 62, sentence added at end, 1928, 321 § 1.
SECT. 76 amended, 1924, 252 § 2.
SECT. 117 amended, 1923, 186.

Chapter 54. — Elections.

SECT. 2 amended, 1921, 220 § 1. (See 1913, 835 § 217; 1918, 74; 1920, 636, as to division of Boston into voting precincts.)
SECT. 4 amended, 1924, 139; 1925, 135 § 1.
SECT. 11 amended, 1923, 204 § 1; 1925, 91; 1928, 149 § 1.
SECT. 12 amended, 1928, 149 § 2.
SECT. 13 amended, 1923, 204 § 2.
SECT. 14 revised, 1923, 204 § 3.
SECT. 24, first sentence amended, 1931, 394 § 215.
SECT. 25A added, 1930, 149 (relative to the display of the national flag at polling places).
SECT. 41, third paragraph amended, 1926, 175 § 1; last paragraph amended, 1927, 24 § 4; sentence added at end of third paragraph, 1931, 337.
SECT. 43 amended, 1925, 36.
SECT. 53 amended, 1926, 196.
SECT. 58. See 1909, 486 § 54; 1914, 730 § 5; 1921, 340; 1926, 105 § 2, as to time for issuance of nomination papers for elective offices in Boston.
SECT. 63, last sentence amended, 1931, 394 § 216. (See 1909, 486 § 32; 1914, 730 § 1; 1921, 288 § 1, as to date of municipal election in Boston.)
SECT. 64 amended, 1924, 171, 468; 1931, 107 § 1.
SECT. 67A added, 1930, 63 (authorizing the use of additional ballot boxes in towns).
SECT. 68 amended, 1930, 204 § 1.
SECT. 86 amended, 1925, 101 § 1.
SECT. 87, paragraph (*b*) revised, 1926, 38; 1929, 93.
SECT. 89 amended, 1925, 101 § 2.
SECT. 100 amended, 1925, 101 § 3.
SECT. 105 amended, 1921, 209 § 5; paragraph added at end, 1930, 204 § 2. (See 1925, 29.)
SECT. 109 amended, 1928, 89 § 2.
SECT. 115 revised, 1925, 118 § 2.
SECT. 116 amended, 1925, 118 § 3.
SECT. 118 amended, 1926, 144.
SECT. 132 amended, 1921, 209 § 6.
SECT. 133 amended, 1921, 209 § 7.

SECT. 135 revised, 1925, 118 § 1.
SECT. 138 amended, 1931, 426 § 175.
SECT. 139 revised, 1922, 57.
SECT. 141 amended, 1922, 142; 1931, 426 § 177.
SECT. 148 revised, 1931, 426 § 176.
SECT. 154. See 1922, 459.
SECT. 161 amended, 1924, 424 § 1.

Chapter 55. — Corrupt Practices and Election Inquests.

SECT. 1 revised, 1923, 110.
SECT. 4 revised, 1928, 212 § 5; affected, 1928, 212 § 13.
SECT. 6 revised, 1928, 212 § 6.
SECT. 16 revised, 1928, 212 § 7; 1930, 36.
SECT. 17 revised, 1925, 57.
SECT. 22 revised, 1928, 212 § 8.
SECT. 23 amended, 1928, 212 § 9.
SECT. 33A added, 1923, 98 § 1 (relative to the use of the names of political parties).
SECT. 34A added, 1922, 269 § 1 (making of false statements in relation to candidates for nomination or election to public office prohibited); amended, 1926, 101.
SECT. 36, new paragraph added, 1922, 269 § 2.
SECT. 38 amended, 1928, 212 § 10.

Chapter 56. — Violations of Election Laws.

SECT. 2 amended, 1921, 114 § 6; 1923, 131 § 16.
SECT. 4 amended, 1923, 131 § 17.
SECT. 5 amended, 1921, 114 § 7; 1923, 131 § 18.
SECT. 6 amended, 1921, 114 § 8; 1923, 131 § 19.
SECT. 7 amended, 1921, 486 § 14; 1923, 131 § 20; 1925, 84 § 10.
SECT. 8 amended, 1923, 131 § 21; 1925, 84 § 11.
SECT. 13 revised, 1923, 183.
SECT. 18 revised, 1930, 204 § 3.
SECT. 57 repealed, 1928, 212 § 11.
SECT. 62A added, 1923, 98 § 2 (penalizing members of organizations for illegal use of names of political parties).
SECT. 64A added, 1922, 269 § 3 (penalty for making false statements in relation to candidates for nomination or election to public office).
SECT. 66 amended, 1928, 212 § 12. (See 1928, 212 § 13.)
SECT. 69, two sentences added at end, 1927, 207.

Chapter 57. — Congressional, Councillor and Senatorial Districts, and Apportionment of Representatives.

SECT. 1 revised, 1926, 372 § 1; 1931, 438.
SECT. 2 revised, 1926, 372 § 2.
SECT. 3 revised, 1926, 372 § 3.
SECT. 4 revised, 1926, 372 § 4.
SECT. 5 amended, 1924, 424 § 2; first sentence revised, 1931, 426 § 178.

Chapter 58. — General Provisions relative to Taxation.

SECT. 1 amended, 1931, 426 § 64.
SECT. 8 amended, 1922, 34; 1923, 283; revised, 1931, 133.
SECT. 9 amended, 1921, 379 § 1; 1928, 330 § 2.
SECT. 10 amended, 1921, 379 § 2; 1925, 343 § 12 (but see 1925, 343 § 13 as revised by 1926, 222); 1930, 220 § 8.
SECT. 10A added, 1921, 375 § 2 (allowance as offset to amounts due commonwealth from cities and towns of percentage of corporation taxes to be distributed); repealed, 1924, 206 § 1.
SECT. 11 amended, 1930, 416 § 3. (See 1930, 416 § 32.)
SECT. 12 amended, 1930, 416 § 4.
SECTS. 13–17 extended, 1921, 344 § 4.
SECT. 13 amended, 1921, 486 § 15; revised, 1923, 271 § 1; amended, 1931, 426 § 179. (See 1922, 54 § 1.)
SECT. 14 revised, 1923, 271 § 2; 1930, 416 § 5. (See 1930, 416 § 32.)
SECT. 15 amended, 1921, 282 § 1; revised, 1923, 271 § 3; 1930, 416 § 6.
SECT. 16 revised, 1931, 426 § 180.
SECT. 17 amended, 1922, 54 § 1.
SECT. 17A added, 1923, 271 § 4 (relative to the taxation of land held for county tuberculosis hospitals); amended, 1930, 416 § 7.
SECT. 18 amended, 1922, 54 § 2; second paragraph amended, 1924, 222 § 1; same paragraph revised, 1927, 222 § 1; section revised, 1931, 426 § 181. (See 1922, 194.)
SECT. 19 repealed, 1931, 428 § 1.
SECT. 20 revised, 1922, 362 § 1; 1927, 222 § 2; amended, 1930, 220 § 9.
SECTS. 20–24A. See 1921, 375 § 2; 1922, 362 § 2.
SECT. 24A added, 1921, 375 § 1 (distribution to cities and towns of interest on corporation taxes); amended, 1927, 222 § 3.
SECT. 25 amended, 1921, 375 § 3; revised, 1922, 362 § 2; 1924, 206 § 2; amended, 1930, 416 § 8. (See 1930, 416 § 32.)
SECT. 25A added, 1931, 428 § 2 (providing for notification to assessors of estimated receipts from certain taxes).
SECT. 27 revised, 1922, 382; amended, 1926, 287 § 1; 1931, 426 § 182.
SECT. 30 amended, 1931, 426 § 65.

Chapter 58A. — Board of Tax Appeals.

New chapter added by 1930, 416 § 1.
SECT. 13 revised, 1931, 218 § 1; affected, 1931, 218 § 2.

Chapter 59. — Assessment of Local Taxes.

As to local tax limit generally, see Chap. 44 § 29.
As to Boston, see 1909, 490 I § 53; 1910, 521; 1913, 719 § 18; 1915, Sp. Acts 184 § 2, 304; 1916, Sp. Acts 267; 1918, Sp. Acts 120, 132 § 3; 1919, Sp. Acts 172, 206 § 10; 1920, 401, 524, 641 § 5; 1922, 205; 1923, 223; 1924, 328; 1925, 271; 1926, 117; 1927, 243; 1928, 200; 1929, 140; 1930, 105; 1931, 29.
Collection of certain taxes assessed under authority of special law transferred to the commissioner of corporations and taxation, see 1923, 133.
For temporary act imposing old age assistance tax on certain male inhabitants of the commonwealth in the years 1931 and 1932, see 1931, 398.

SECT. 1. For the poll tax payable prior to 1924, including the additional "war poll tax", so called, see 1919, 283 §§ 10–15. (See 1921, 226, repealing certain provisions relative to poll taxes. See 1922, 260, relative to abatements of poll taxes for certain veterans. See 1922, 398, exempting certain veterans of the world war from the payment of additional poll taxes.)

SECT. 3A added, 1928, 111 § 1 (relative to the taxation of real estate of a municipality used or occupied for other than a public purpose).

SECT. 5, cl. Second amended, 1921, 389; 1922, 216; 1931, 394 § 13; cl. Third, subsect. (*c*) amended, 1922, 451 § 1; cl. Fifth amended, 1921, 474; 1922, 222; cl. Sixteenth amended, 1921, 486 § 16; revised, 1924, 321 § 1; amended, 1926, 279 § 1; revised, 1928, 379 § 3; amended, 1930, 220 § 10; cl. Seventeenth amended, 1924, 17 § 1; 1927, 11; 1930, 247; last sentence revised, 1930, 416 § 9; (see 1930, 416 §§ 32, 33); cl. Twentieth amended, 1928, 77 § 1; revised, 1931, 75; cl. Twenty-second, last sentence revised, 1930, 416 § 10; (see 1930, 416 §§ 32, 33); cl. Twenty-third amended, 1930, 189; cls. Twenty-seventh and Twenty-ninth revised, 1931, 426 § 183; cl. Thirty-first amended, 1929, 15 § 1; 1930, 220 § 11; cl. Thirty-third amended, 1921, 202; cl. Thirty-third stricken out and new cls. Thirty-third and Thirty-fourth added, 1925, 343 § 8 (but see 1925, 343 § 13 as revised by 1926, 222); cl. Thirty-fifth added, 1928, 379 § 4; amended 1931, 184 § 1.

SECT. 7 revised, 1930, 416 § 11. (See 1930, 416 § 33.)

SECT. 8 amended, 1928, 143 § 1. (See 1922, 329.)

SECT. 18, cl. First revised, 1929, 40 § 1; cl. Second revised, 1924, 321 § 2; amended, 1930, 220 § 12; cl. Sixth revised, 1925, 64; 1929, 40 § 1; cl. Seventh amended, 1928, 143 § 2; revised, 1929, 40 § 1.

SECT. 22 repealed, 1925, 343 § 9 (but see 1925, 343 § 13 as revised by 1926, 222).

SECT. 23 amended, 1921, 348; 1928, 379 § 5; revised, 1931, 428, § 3. (See 1928, 379 § 9.)

SECTS. 23A and 23B added, 1922, 118 (requiring assessors to notify the financial officers of cities and towns of amounts to be raised by taxation and from receipts, and of amounts of abatements granted).

SECT. 29 amended, 1931, 150 § 1.

SECT. 39 revised, 1930, 416 § 12. (See 1930, 416 § 32.)

SECT. 43 amended, 1928, 14 § 1.

SECT. 45 amended, 1925, 343 § 11 (but see 1925, 343 § 13 as revised by 1926, 222); 1928, 14 § 2.

SECT. 46 amended, 1928, 14 § 3.

SECT. 47, subsect. Sixth amended, 1925, 343 § 10 (but see 1925, 343 § 13 as revised by 1926, 222); section amended, 1928, 14 § 4.

SECT. 51 revised, 1923, 421.

SECT. 52 revised, 1928, 14 § 5.

SECT. 54 revised, 1926, 65 § 5.

SECT. 57 amended, 1926, 269 § 2.

SECT. 59 amended, 1926, 71 § 2.

SECT. 60 amended, 1923, 18.

SECT. 61 revised, 1931, 150 § 2.

SECT. 64, paragraph added at end, 1930, 416 § 13; revised, 1931, 150 § 3. (See 1930, 416 § 32.)

SECT. 65 revised, 1930, 416 § 14. (See 1930, 416 § 33.)

SECTS. 66–68 repealed, 1930, 416 § 2. (See 1930, 416 § 33.)

SECT. 68A added, 1926, 312 (relative to appeals from the refusal of assessors to abate taxes); amended, 1929, 212; repealed, 1930, 416 § 2. (See 1930, 416 § 33.)
SECT. 71 amended, 1928, 1.
SECT. 73 amended, 1926, 71 § 3. (See 1930, 416 §§ 32, 33.)
SECT. 74 amended, 1926, 279 § 2; 1928, 379 § 6.
SECT. 81. See 1930, 416 §§ 32, 33.
SECT. 83 amended, 1926, 279 § 3; 1928, 379 § 7.
SECT. 88 repealed, 1926, 29.

Chapter 60. — Collection of Local Taxes.

SECT. 2 amended, 1921, 124; 1926, 65 § 3; revised, 1931, 287.
SECT. 3 amended, 1926, 71 § 1, 269 § 1.
SECT. 8 amended, 1926, 65 § 4.
SECT. 9 revised, 1923, 128 § 1.
SECTS. 10 and 11 repealed, 1923, 128 § 2.
SECT. 12 amended, 1923, 128 § 3.
SECT. 13 revised, 1926, 65 § 2.
SECT. 15 revised, 1931, 434.
SECT. 17 revised, 1923, 128 § 4.
SECT. 31 revised, 1927, 334 § 5.
SECT. 32 amended, 1928, 12.
SECT. 34 revised, 1931, 409 § 1.
SECT. 34A added, 1931, 409 § 2 (providing for release from custody of delinquent taxpayer upon furnishing of bond).
SECT. 43 revised, 1923, 377 § 7.
SECT. 45 revised, 1931, 356 § 1.
SECT. 48 amended, 1927, 126 § 1.
SECT. 50 amended, 1927, 126 § 2.
SECT. 52 amended, 1927, 126 § 3.
SECT. 54 amended, 1925, 241 § 4; revised, 1931, 356 § 2.
SECT. 55 amended, 1927, 126 § 4.
SECT. 62 amended, 1924, 3; 1925, 51; revised, 1925, 77; amended, 1925, 241 § 5; 1928, 10.
SECT. 68 revised, 1929, 207 § 1.
SECT. 79 amended, 1925, 241 § 6; 1931, 79 § 1.
SECT. 80 revised, 1925, 241 § 7; amended, 1931, 79 § 2.
SECT. 81 repealed, 1925, 241 § 8.
SECT. 84A added, 1931, 440 (relative to refunds to holders of tax titles judicially adjudged invalid).
SECT. 97 revised, 1923, 128 § 5.
SECT. 100 amended, 1923, 128 § 6.
SECT. 104 amended, 1931, 426 § 66.
Forms 10, 11, 12, 14, 18 in schedule at end of chapter amended, 1923, 377 § 8.

Chapter 60A. — Excise Tax on Registered Motor Vehicles in Lieu of Local Tax.

New chapter added by 1928, 379 § 1.
SECT. 1, third paragraph amended, 1930, 220 § 13; section revised, 1930, 244 § 1.
SECT. 2 revised, 1930, 244 § 2, 416 § 15. (See 1930, 416 §§ 32, 33.)

Chapter 61. — Taxation of Forest Products and Classification and Taxation of Forest Lands (former title, Taxation of Forest Lands).

Chapter repealed and superseded by 1922, 360 § 1.

Chapter 62. — Taxation of Incomes.

SECT. 1, subsect. (*a*) cl. First amended, 1923, 378 § 1; subsect. (*a*) cl. Third amended, 1924, 15 § 1; subsect. (*a*) cl. Fourth amended, 1923, 287 § 1; subsect. (*b*) amended, 1923, 487 § 3; revised, 1925, 343 § 7 (but see 1925, 343 § 13 as revised by 1926, 222); subsect. (*c*) cl. First amended, 1925, 223; 1926, 160.

SECT. 2, last paragraph amended, 1921, 265.

SECT. 5, cl. (*b*) amended, 1923, 287 § 2; cl. (*c*) amended, 1921, 376 § 1; 1922, 449 § 1; 1928, 217 § 1; revised, 1931, 435 § 1.

SECT. 6, cl. (*b*) amended, 1922, 329 § 1; cl. (*g*) amended, 1922, 329 § 2; cl. (*h*) amended, 1922, 489.

SECT. 7 amended, 1928, 217 § 2; last paragraph revised, 1931, 435 § 2.

SECT. 8, subsect. (*a*) revised, 1924, 351 § 1.

SECT. 9 amended, 1925, 242 § 1; revised, 1931, 397 § 1.

SECT. 10 revised, 1931, 456 § 1.

SECT. 11 revised, 1931, 456 § 2.

SECT. 13 revised, 1931, 456 § 3.

SECT. 22 amended, 1924, 15 § 2.

SECT. 24 revised, 1929, 361 § 1.

SECT. 25 revised, 1929, 361 § 2.

SECT. 33, first paragraph amended, 1922, 290.

SECT. 34 amended, 1923, 362 § 55; 1927, 28.

SECT. 37 amended, 1922, 143.

SECT. 39 amended, 1929, 361 § 3.

SECT. 41 amended, 1923, 287 § 3; revised, 1925, 186.

SECT. 45 amended, 1922, 339 § 1; 1926, 287 § 2; revised, 1930, 416 § 16. (See 1930, 416 § 32.)

SECT. 47 amended, 1921, 113 § 1; 1923, 287 § 4; 1926, 287 § 3; repealed, 1930, 416 § 2. (See 1930, 416 § 33.)

SECT. 48 amended, 1921, 113 § 2.

SECTS. 49 and 50 repealed, 1931, 426 § 184.

SECT. 51 revised, 1930, 416 § 17; repealed, 1931, 426 § 184. (See 1930, 416 §§ 32, 33.)

SECTS. 52 and 53 repealed, 1931, 426 § 184.

SECT. 58 amended, 1923, 402 § 1.

Chapter 63. — Taxation of Corporations.

Refunding of certain illegal or excessive bank taxes, 1930, 214.

SECTS. 1–10B, as added or amended by 1923, 378 § 2, 1923, 487 §§ 1, 2, 1924, 233 § 1 and 1925, 262 § 1, stricken out and new §§ 1–7 inserted by 1925, 343 § 1 (but in case of unconstitutionality of new sections see 1925, 343 § 13 as revised by 1926, 222).

SECT. 1 (inserted by 1925, 343 § 1), paragraph defining "net income" revised, 1930, 220 § 1.

SECT. 2 (inserted by 1925, 343 § 1) revised, 1930, 220 § 2, 416 § 18. (See 1930, 416 § 32.)

SECT. 5 (inserted by 1925, 343 § 1) amended, 1927, 222 § 5; 1930, 416 § 19. (See 1930, 416 § 32.)

SECT. 6 (inserted by 1925, 343 § 1) revised, 1930, 416 § 20.

SECT. 11 amended, 1922, 520 § 2; revised, 1923, 378 § 3. (See 1922, 239.)

SECT. 12. See 1922, 239.

SECT. 14 amended, 1922, 239; 1924, 182; repealed, 1931, 426 § 6.

SECT. 17 amended, 1922, 520 § 3.

SECT. 18 amended, 1922, 520 § 4.

SECT. 18A added, 1927, 225 § 1 (relative to the abatement of certain corporation taxes); revised, 1930, 416 § 21. (See 1930, 416 § 32.)

SECT. 22 amended, 1931, 426 § 185.

SECT. 23 amended, 1931, 426 § 186.

SECT. 28 amended, 1922, 520 § 5; 1923, 378 § 4; 1926, 287 § 4; 1927, 225 § 2; 1930, 416 § 22. (See 1930, 416 § 32.)

SECT. 29 amended, 1922, 520 § 6; 1923, 378 § 5.

SECTS. 30–51. See 1922, 362 § 1.

SECT. 30, paragraph 5 amended, 1922, 302; 1925, 265 § 1; revised, 1925, 343 § 1A (but see 1925, 343 § 13 as revised by 1926, 222); paragraph in first two lines amended, 1923, 254 § 3; said paragraph and paragraphs 1 and 2 amended, 1923, 438 § 5; paragraph in first four lines, as appearing in 1923, 438 § 5, revised, 1924, 26 § 2; paragraph 3 (*a*) amended, 1925, 301 § 1; 1926, 279 § 4; paragraph 4 (*a*) affected, 1925, 301 § 1; amended, 1926, 279 § 5; paragraphs 3 and 4 revised, 1927, 258 § 1; paragraphs 1, 2 and 5 revised, 1930, 220 § 3; paragraph 3 (*a*) amended, 1931, 426 § 67.

SECT. 31 revised, 1927, 258 § 2.

SECT. 32 amended, 1923, 424 § 1; revised, 1926, 338 § 6; 1927, 258 § 3; amended, 1929, 359 § 2.

SECT. 32A added, 1923, 424 § 2 (relative to a minimum gross receipts excise with respect to certain domestic business corporations).

SECT. 33 revised, 1922, 492 § 1. (See 1922, 492 § 2.)

SECT. 34A added, 1923, 254 § 1 (relative to the taxation of subsidiary companies controlled by domestic business corporations); repealed, 1924, 26 § 1.

SECT. 36 revised, 1927, 148.

SECT. 37, subdiv. (*a*) revised, 1925, 343 § 1B (but see 1925, 343 § 13 as revised by 1926, 222); section amended, 1931, 426 § 187.

SECT. 38, paragraph 10 repealed, 1926, 338 § 1.

SECT. 38A added, 1926, 338 § 2 (computation of net taxable income of domestic business corporation); revised, 1930, 220 § 4.

SECT. 38B added, 1929, 359 § 1 (relative to taxation of certain domestic business corporations dealing exclusively in securities); amended, 1931, 366 § 1.

SECT. 38C added, 1930, 220 § 5 (classifying domestic manufacturing corporations and providing for their taxation).

SECT. 39 amended, 1923, 424 § 3; paragraph in first twelve lines, as appearing in 1923, 424 § 3, amended, 1924, 26 § 3; revised, 1927, 258 § 4; paragraph (2) revised, 1926, 338 § 7.

SECT. 39A added, 1922, 492 § 2 (imposing a minimum tax upon foreign business corporations doing business in this commonwealth).

SECT. 39B added, 1923, 254 § 2 (relative to the taxation of subsidiary companies controlled by foreign corporations); repealed, 1924, 26 § 1.

SECT. 39C added, 1923, 424 § 4 (relative to a minimum gross receipts excise with respect to certain foreign corporations).

SECT. 41 revised, 1925, 343 § 2; 1926, 338 § 3.

SECT. 42 revised, 1926, 338 § 4.

SECT. 42A added, 1926, 338 § 5 (computation of net taxable income of foreign corporation); revised, 1930, 220 § 6.

SECT. 42B added, 1930, 220 § 7 (classifying foreign manufacturing corporations and providing for their taxation).

SECT. 45 amended, 1922, 520 § 7; 1931, 426 § 68.

SECT. 48 amended, 1922, 520 § 8.

SECT. 51 revised, 1926, 287 § 5; amended, 1927, 225 § 3. (See 1930, 416 § 32.)

SECT. 52 revised, 1926, 219; 1930, 422.

SECT. 53, first paragraph amended, 1925, 343 § 3 (but see 1925, 343 § 13 as revised by 1926, 222); cl. Fourth (part) amended, 1922, 49; last paragraph amended, 1923, 402 § 2.

SECT. 55, cl. Sixth added, 1923, 290 § 3 (certain deductions allowed corporations owning stock of electric companies); paragraph added at end, 1925, 301 § 2; section amended, 1926, 279 § 6; last paragraph amended, 1931, 426 § 69.

SECT. 56 amended, 1923, 378 § 6; repealed, 1925, 343 § 4 (but see 1925, 343 § 13 as revised by 1926, 222). (See 1922, 239.)

SECT. 56A added, 1923, 310 (providing an alternative method of determining the value of corporate franchises of foreign telephone companies).

SECT. 57 affected, 1925, 301 § 2; amended, 1926, 279 § 7; 1927, 258 § 5; repealed, 1928, 13 § 2.

SECT. 58 revised, 1921, 394; affected, 1924, 247 § 1; amended, 1925, 343 § 5 (but see 1925, 343 § 13 as revised by 1926, 222).

SECT. 58A added, 1924, 247 § 1 (placing upon an equal basis the taxation of trust companies and national banks); repealed, 1925, 343 § 6 (but see 1925, 343 § 13 as revised by 1926, 222).

SECT. 60 amended, 1922, 520 § 9; 1927, 225 § 4; revised, 1930, 416 § 23. (See 1930, 416 § 32.)

SECTS. 61–66 repealed, 1928, 138.

SECT. 61. See 1921, 406 § 1; 1923, 452.

SECTS. 62 and 65. See 1921, 406, relieving street railway, etc., companies for years 1922 and 1923 from commutation or excise tax; time extended for years 1924–1928, inclusive, 1923, 452.

SECT. 67 revised, 1928, 143 § 3; amended, 1931, 426, § 188.

SECT. 68A added, 1928, 13 § 1 (remedy when assessors' valuation exceeds commissioner's extended to additional classes of corporations).

SECT. 70 amended, 1922, 520 § 10. (See 1921, 375 § 1.)

SECT. 71 amended, 1921, 123; 1922, 339 § 2; 1926, 287 § 6; revised, 1930, 416 § 24. (See 1930, 416 § 32.)

SECT. 71A added, 1923, 402 § 3 (inspection of returns restricted).

SECT. 72 amended, 1922, 520 § 11; revised, 1923, 378 § 7.

SECTS. 72–75. See 1921, 493 § 7.

SECT. 73 amended, 1922, 520 § 12; 1931, 426 § 189.

SECT. 75 amended, 1922, 520 § 13; 1931, 426 § 190.

SECT. 76 amended, 1923, 140.

SECT. 77 amended, 1922, 520 § 14; repealed, 1930, 416 § 2. (See 1930, 416 § 33.)

SECT. 78 amended, 1923, 362 § 56; repealed, 1930, 416 § 2. (See 1930, 416 § 33.)
SECT. 80 amended, 1931, 426 § 191.
SECT. 81 added, 1928, 379 § 8 (definition of "local taxation", for purposes of certain sections of chapter 63).

Chapter 64. — Taxation of Stock Transfers.

SECT. 6 revised, 1930, 416 § 25. (See 1930, 416 § 32.)

Chapter 64A. — Taxation of Sales of Gasoline and Certain Other Motor Vehicle Fuel.

New chapter added by 1928, 316 § 1. (Affected, 1931, 122 § 4.)
SECT. 1, subsect. (*g*) revised, 1930, 416 § 26.
SECT. 2 amended, 1931, 426 § 55.
SECT. 5 revised, 1930, 416 § 27. (See 1930, 416 § 32.)
SECT. 9 amended, 1931, 426 § 192.
SECT. 10 revised, 1930, 416 § 28. (See 1930, 416 § 32.)
SECT. 12 revised, 1930, 416 § 29.

Chapter 65. — Taxation of Legacies and Successions.

As to the collection of collateral legacy taxes under chapter 15 of the Revised Laws and amendments thereof, see 1922, 520 § 24.
Temporary act, imposing tax upon transfer of estates of certain residents of Massachusetts dying after February 26, 1926, and before June 1, 1927, 1926, 355.
SECT. 1 amended, 1922, 347, 403 § 1; new paragraphs added, 1924, 128; 1925, 338 § 1; first and last paragraphs amended, 1926, 148 §§ 1, 2; section amended, 1927, 156 § 1; first paragraph amended, 1929, 292 § 1.
SECT. 4 amended, 1922, 403 § 2; repealed, 1927, 156 § 2.
SECT. 5 amended, 1922, 403 § 3; repealed, 1925, 338 § 2.
SECT. 6 amended, 1931, 405 § 1.
SECT. 7 amended, 1922, 520 § 15.
SECT. 8 amended, 1922, 520 § 16; repealed, 1927, 156 § 2.
SECT. 10 repealed, 1922, 403 § 4.
SECT. 11 revised, 1923, 176.
SECT. 13 amended, 1924, 300 § 1.
SECT. 14 amended, 1924, 300 § 2.
SECT. 15 revised, 1922, 300.
SECT. 23 amended, 1922, 520 § 17.
SECT. 25 amended, 1924, 300 § 3; revised, 1930, 416 § 30. (See 1930, 416 § 33.)
SECT. 26 revised, 1930, 416 § 31. (See 1930, 416 § 33.)
SECT. 27 amended, 1922, 520 § 18; revised, 1931, 405 § 2.
SECT. 30 amended, 1922, 520 § 19.
SECT. 31 amended, 1922, 520 § 20.
SECT. 32 amended, 1922, 339 § 3; revised, 1922, 520 § 21; amended, 1931, 426 § 193.
SECT. 33 amended, 1922, 520 § 22.
SECT. 34 amended, 1922, 520 § 23.

Chapter 65A. — Taxation of Transfers of Certain Estates.

New chapter added by 1927, 178 § 1. (For temporary provisions, see 1926, 355; 1930, 301 § 2.)

SECT. 4. See 1930, 416 § 33.

SECT. 7 revised, 1930, 301 § 1.

Chapter 66. — Public Records.

See 1920, 562; 1921, 171; 1922, 199, relative to the preservation and distribution of town records of births, marriages and deaths previous to 1850.

SECT. 1 amended, 1923, 362 § 57.

SECT. 3 amended, 1928, 192 § 1.

SECT. 4 amended, 1928, 192 § 2.

SECT. 10. See 1923, 337.

Chapter 67. — Parishes and Religious Societies.

SECT. 22, last paragraph amended, 1931, 394 § 159.

SECT. 26, last sentence stricken out, 1931, 426 § 194.

SECT. 43 amended, 1931, 394 § 160.

Chapter 68. — Donations and Conveyances for Pious and Charitable Uses.

SECT. 9 amended, 1929, 94.

SECT. 15 added, 1930, 209 (requiring certain unincorporated trustees of charitable trusts to file annual reports with the department of public welfare); amended, 1931, 42.

SECT. 16 added, 1931, 260 (regulating the collection of funds for charitable purposes on ways and in other public places, and their disbursement).

Chapter 69. — Powers and Duties of the Department of Education.

SECT. 3 revised, 1923, 301 § 3.

SECT. 4 amended, 1931, 426 § 195.

SECT. 7 amended, 1925, 266; 1931, 308.

SECT. 10 amended, 1921, 484.

SECT. 12 revised, 1925, 286 § 3.

SECT. 13 amended, 1925, 286 § 4.

SECT. 14 revised, 1924, 499 § 1; amended, 1925, 286 § 5.

SECT. 15 revised, 1925, 286 § 6.

SECT. 16 revised, 1925, 286 § 7.

SECT. 19 amended, 1924, 453 § 2; last sentence amended, 1931, 394 § 114.

SECT. 20 amended, 1931, 426 § 196.

SECT. 24 revised, 1925, 286 § 8.

SECT. 25 revised, 1921, 486 § 17; amended, 1923, 362 § 58. (See 1922, 545 §§ 10–12.)

SECT. 26 revised, 1929, 268.

SECT. 28 added, 1923, 361 (providing for the establishment of special day classes for deaf pupils in the public schools of certain towns).

Chapter 70. — School Funds and Other State Aid for Public Schools.

SECT. 1 amended, 1923, 145 § 1.

SECT. 2 revised, 1921, 420 § 1.

SECT. 4 revised, 1921, 420 § 2; 1926, 333 § 1; amended, 1931, 426 § 56.

Sect. 6 amended, 1922, 190.
Sect. 7 amended, 1922, 333 § 2; 1923, 145 § 2; revised, 1924, 222 § 2.
Sect. 11 revised, 1921, 420 § 3; amended, 1923, 472 § 1; revised, 1926, 333 § 2.
Sect. 12 revised, 1926, 333 § 2.
Sect. 13 revised, 1926, 333 § 2.
Sect. 14 amended, 1924, 455 § 1; revised, 1926, 333 § 2.
Sect. 14A added, 1926, 333 § 3 (providing for a further distribution of the Massachusetts School Fund to certain towns in certain cases).
Sect. 15 amended, 1931, 426 § 70.
Sect. 16 amended, 1922, 333 § 3; 1923, 362 § 59.

Chapter 71. — Public Schools.

Sect. 1 amended, 1921, 360; 1923, 222 § 1.
Sect. 2 amended, 1923, 222 § 2.
Sect. 4 amended, 1928, 31.
Sect. 6 revised, 1921, 296 § 1; first paragraph revised, 1930, 48.
Sect. 7 amended, 1921, 296 § 2; revised, 1923, 363.
Sect. 21 amended, 1922, 401.
Sect. 24 amended, 1922, 413.
Sect. 40 revised, 1921, 420 § 4.
Sect. 42 amended, 1921, 293.
Sect. 46 amended, 1922, 231; revised, 1931, 358.
Sect. 46A added, 1930, 368 (making special provisions for the education of crippled children).
Sect. 48A added, 1930, 314 (authorizing the purchase of traffic belts for school children engaged in directing traffic).
Sect. 53 revised, 1921, 357 § 1.
Sects. 53A and 53B added, 1921, 357 § 2 (enabling superintendency districts and unions to employ school physicians and nurses, etc.).
Sect. 55 revised, 1922, 120.
Sect. 58 amended, 1931, 426 § 71.
Sect. 61 amended, 1926, 313 § 1.
Sect. 65 amended, 1926, 313 § 2.
Sect. 70 amended, 1921, 486 § 18.
Sect. 71 amended, 1923, 50.

Chapter 72. — School Registers and Returns.

Sect. 2 amended, 1926, 188 § 1; third, fourth and fifth sentences amended, 1931, 394 § 138.
Sect. 3, paragraph First amended, 1925, 78 § 1.

Chapter 73. — State Normal Schools.

Sect. 1 amended, 1926, 6.
Sect. 4 amended, 1921, 486 § 19; 1923, 362 § 60.
Sect. 4A added, 1930, 158 (providing for the granting to certain teachers in the state normal schools of leave of absence for study or research).
Sect. 7 added, 1921, 92 (authorizing department of education to grant degrees in education); amended, 1922, 274.

Chapter 74. — Vocational Education.

SECTS. 1–24. See 1922, 521 § 2.

SECT. 7A added, 1927, 85 (relative to the tuition of state and city wards in certain approved vocational schools).

SECT. 8 amended, 1931, 426 § 72.

SECT. 8A added, 1923, 299 (relative to payment by certain towns for the transportation of pupils attending outside vocational schools and to state reimbursement therefor); revised, 1927, 201.

SECT. 10 revised, 1923, 364.

SECT. 20 revised, 1921, 462 § 3.

SECT. 21 amended, 1921, 462 § 4.

SECT. 22, first sentence amended, 1921, 462 § 5.

SECT. 22A added, 1921, 462 § 6 (duties of state board for vocational education).

SECT. 22B added, 1923, 434 (authorizing the state board for vocational education to furnish aid during rehabilitation to certain persons).

SECTS. 25–37 affected, 1924, 281.

SECT. 29 amended, 1931, 301 § 16.

SECT. 30 revised, 1931, 301 § 17.

SECT. 34, sentence added at end, 1924, 418.

SECT. 38 repealed, 1931, 426 § 197.

SECTS. 39 and 40 repealed, 1931, 426 § 7.

SECT. 41 amended, 1931, 426 § 8.

SECT. 42 revised, 1928, 135 § 4.

SECT. 46A added, 1921, 385 (authorizing state textile schools to make certain tests).

SECT. 47 stricken out and new heading and sections 47–47G inserted, 1928, 135 § 5 (relative to the Lowell textile institute).

SECT. 48 amended, 1928, 135 § 6.

SECT. 51 amended, 1923, 362 § 61.

Chapter 75. — Massachusetts State College (former title, Massachusetts Agricultural College).

SECT. 1 amended, 1931, 144 § 2.

SECT. 6 amended, 1923, 362 § 62.

SECT. 10A added, 1922, 268 (authorizing the trustees of the college to insure its memorial building and contents).

SECT. 13, last sentence stricken out, 1931, 426 § 57.

SECT. 17. See 1922, 182.

SECT. 21 amended, 1922, 182.

Chapter 76. — School Attendance.

Attendance officers, title changed to supervisors of attendance, 1928, 184.

SECT. 1 amended, 1921, 463. (See 1922, 376.)

SECT. 2, first sentence amended, 1931, 394 § 139.

SECT. 2A added, 1928, 227 (further providing for the education of deaf children).

SECT. 3 revised, 1926, 188 § 2; last sentence amended, 1931, 394 § 140.

SECT. 6 amended, 1925, 94.

SECT. 7 amended, 1921, 272; revised, 1930, 290.

SECT. 10 amended, 1921, 214.

SECT. 13 amended, 1925, 79.

Chapter 77. — School Offenders and County Training Schools.

Attendance officers, title changed to supervisors of attendance, 1928, 184.

SECT. 1 amended, 1921, 173.
SECT. 3 amended, 1931, 394 § 141.
SECT. 4 amended, 1931, 394 § 142.
SECT. 5 amended, 1931, 394 § 143.
SECT. 7 amended, 1931, 394 § 144.
SECT. 8, second paragraph amended, 1931, 394 § 145.
SECT. 11 amended, 1931, 394 § 146.
SECT. 12 amended, 1928, 184 § 1.
SECT. 13, first sentence amended, 1931, 394 § 147.

Chapter 78. — Libraries.

SECT. 15 revised, 1924, 114.

Chapter 79. — Eminent Domain.

SECT. 3, paragraph added at end, 1924, 110; section amended, 1926, 124; first paragraph amended, 1930, 417 § 12.
SECT. 45 amended, 1929, 380 § 2.

Chapter 80. — Betterments.

SECT. 1, sentence added at end, 1923, 377 § 1.
SECT. 2 amended, 1928, 120.
SECT. 4 amended, 1923, 377 § 2; 1927, 3.
SECT. 5 amended, 1923, 377 § 3.
SECT. 12 amended, 1923, 377 § 4.
SECT. 13 revised, 1923, 377 § 5.
SECT. 14 repealed, 1923, 377 § 6.
SECT. 17 amended, 1929, 380 § 3.

Chapter 80A. — Eminent Domain Takings and Betterment Assessments by Judicial Proceedings.

New chapter added by 1929, 380 § 1. (See also 1929, 380 § 4.)
SECT. 16 added, 1931, 426 § 198 (providing an election to public authorities to act under chapter 80A if authorized by law to act under chapter 79 or 80).

Chapter 81. — State Highways.

Division of highways of department of public works abolished, 1927, 297.

SECT. 1 amended, 1923, 57 § 1; revised, 1926, 176; 1928, 357 § 1.
SECT. 2 amended, 1931, 394 § 14.
SECT. 3 amended, 1921, 260; 1931, 394 § 15.
SECT. 4 amended, 1931, 394 § 16.
SECT. 5 amended, 1921, 427 § 1; 1931, 394 § 17.
SECT. 6 amended, 1921, 446; 1931, 394 § 18.
SECT. 7 amended, 1931, 394 § 19.
SECT. 8 amended, 1931, 394 § 20.
SECT. 9 amended, 1921, 112 § 2; 1923, 362 § 63; affected, 1931, 122 § 5; amended, 1931, 394 § 21; repealed, 1931, 432.

SECT. 10 amended, 1931, 394 § 22.
SECT. 11 amended, 1931, 394 § 23.
SECT. 12 revised, 1921, 427 § 2; amended, 1927, 105; 1931, 394 § 24. (See 1921, 427 § 1.)
SECT. 13 revised, 1931, 426 § 9.
SECT. 14 amended, 1931, 394 § 25.
SECT. 15 amended, 1931, 394 § 26.
SECT. 16 affected, 1931, 122 § 5; repealed, 1931, 349.
SECT. 17 repealed, 1931, 349.
SECT. 18, last sentence amended, 1931, 394 § 27.
SECT. 19 revised, 1923, 482 § 1; 1927, 273; affected, 1931, 122 § 5; amended, 1931, 394 § 28.
SECT. 19A added, 1924, 428 § 1 (requiring warning signs or lights at certain dangerous places on state highways); repealed, 1928, 357 § 7.
SECT. 20 amended, 1931, 394 § 29; revised, 1931, 439.
SECT. 21 amended, 1931, 394 § 30.
SECT. 22 amended, 1931, 394 § 31.
SECT. 23 repealed, 1925, 288 § 2.
SECT. 24 amended, 1931, 394 § 32.
SECT. 25 revised, 1921, 428; amended, 1931, 394 § 33.
SECT. 26 amended, 1922, 281; revised, 1926, 315 § 1; 1930, 171; affected, 1931, 122 § 7.
SECT. 26A added, 1921, 120 § 1 (providing for the participation of the county in the improvement of public ways); first and second sentences amended, 1931, 394 § 34.
SECT. 27 revised, 1931, 426 § 73.
SECT. 28 amended, 1931, 394 § 35.
SECT. 29 revised, 1926, 315 § 2; amended, 1931, 394 § 36.
SECT. 30 amended, 1931, 394 § 37.

Chapter 82. — The Laying Out, Alteration, Relocation and Discontinuance of Public Ways, and Specific Repairs thereon.

SECT. 1 amended, 1931, 167.
SECT. 3 revised, 1931, 280.
SECT. 5 amended, 1922, 251 § 1.
SECT. 6 revised, 1929, 331 § 1.
SECT. 7 revised, 1928, 199; 1929, 331 § 2.
SECT. 8 amended, 1921, 401; second sentence amended, 1931, 394 § 38.
SECT. 11 amended, 1922, 251 § 2.
SECT. 24 amended, 1927, 23; first three sentences revised, 1931, 426 § 199.
SECT. 32A added, 1924, 289 (relative to the discontinuance of certain ways as public ways).
SECT. 37 revised, 1925, 130.

Chapter 83. — Sewers, Drains and Sidewalks.

SECT. 4, first and last sentences amended, 1931, 394 § 39.
SECT. 27 amended, 1921, 486 § 20.

Chapter 84. — Repair of Ways and Bridges.

SECT. 11 revised, 1923, 482 § 2.
SECT. 11A added, 1921, 120 § 2 (providing for the participation of the county in the improvement of public ways).
SECT. 15, sentence added at end, 1931, 426 § 200.
SECT. 16, last sentence stricken out, 1931, 426, § 201.
SECT. 21 revised, 1922, 241; 1930, 98 § 1.

Chapter 85. — Regulations and By-laws relative to Ways and Bridges.

SECT. 1 revised, 1928, 357 § 2.
SECT. 2 revised, 1928, 357 § 3.
SECT. 3 amended, 1931, 394 § 40.
SECTS. 3A and 3B added, 1927, 71 (relative to the renaming of certain unaccepted ways).
SECT. 10A added, 1924, 296 (relative to the regulation of coasting on public ways).
SECT. 13 revised, 1921, 377.
SECT. 14A added, 1929, 347 (regulating the use of public ways by funeral processions).
SECT. 15 amended, 1931, 394 § 41.
SECT. 17A added, 1930, 139 (prohibiting certain interruptions of traffic upon state highways); amended, 1931, 273.
SECT. 26 amended, 1931, 394 § 42.
SECT. 27 amended, 1931, 394 § 43.
SECT. 30 revised, 1922, 526; amended, 1925, 180 § 2, 342 § 2; revised, 1930, 353 § 1; amended, 1931, 138 § 1.
SECT. 34 revised, 1923, 313 § 1; amended, 1931, 394 § 44.
SECT. 35 added, 1923, 313 § 2 (relative to the protection of highway bridges from heavy loads); amended, 1931, 394 § 45.

Chapter 87. — Shade Trees.

SECT. 8 amended, 1931, 394 § 46.
SECT. 9 amended, 1931, 394 § 47.
SECT. 12 revised, 1926, 311.

Chapter 88. — Ferries, Canals and Public Landings.

SECT. 14 revised, 1930, 164.

Chapter 89. — Law of the Road.

SECT. 6A added, 1925, 306 § 1 (regulating the stopping of street cars during the passage of fire apparatus).
SECT. 7A added, 1925, 306 § 2 (regulating the movement and stopping of vehicles during fires or the passage of fire apparatus); amended, 1926, 278.
SECT. 8 amended, 1926, 330 § 1; revised, 1928, 357 § 4; 1929, 147 § 1.
SECT. 9 added, 1926, 330 § 2 (designation of certain state highways as through ways and regulation of traffic at their intersections with other ways); revised, 1928, 357 § 5; 1929, 147 § 2.
SECT. 10 added, 1930, 57 § 1 (relative to the violation of one-way street regulations, so called, as affecting civil liability).

Chapter 90. — Motor Vehicles and Aircraft.

Division of highways of department of public works abolished, 1927, 297.

Provision for an aircraft landing field, see 1922, 404; 1924, 368, 383; 1926, 275.

SECT. 1 amended, 1923, 464 § 1; tenth paragraph (defining "non-resident"), as appearing in 1923, 464 § 1, amended, 1924, 189; revised, 1931, 142 § 1; paragraph in lines 13 and 14 (as appearing in 1923, 464 § 1) revised, 1928, 381 § 2; paragraph in lines 27–33, as appearing in 1923, 464 § 1, amended, 1928, 316 § 2; paragraph defining "motor vehicles", as appearing in 1928, 316 § 2, amended, 1929, 203; same paragraph amended, 1930, 332 § 1, and revised, 1931, 47 § 1.

SECT. 1A added, 1925, 346 § 1 (prohibiting registration of certain motor vehicles unless security for owners' civil liability for personal injuries caused thereby is furnished); revised, 1926, 368 § 1; sentence added at end, 1930, 332 § 2; section revised, 1931, 47 § 2; first sentence amended, 1931, 408 § 6.

SECT. 2, seventh paragraph amended, 1922, 303 § 1; sixth paragraph amended, 1923, 362 § 64; fourth paragraph amended, 1924, 427; eighth paragraph amended, 1924, 224; section revised, 1928, 316 § 3; sixth paragraph amended, 1930, 272; seventh paragraph amended, 1930, 332 § 3, and revised, 1931, 47 § 3.

SECT. 3 amended, 1923, 431 § 1; revised, 1931, 142 § 2.

SECTS. 3A and 3B added, 1923, 431 § 2 (relative to jurisdiction and service of process in actions against non-residents operating motor vehicles in this commonwealth); sections stricken out and new sections 3A–3F inserted, 1928, 344 (permitting the service of process on the registrar of motor vehicles in motor vehicle accident cases).

SECT. 3D affected, 1928, 390.

SECT. 4 repealed, 1931, 142 § 3.

SECT. 5 amended, 1922, 303 § 2; revised, 1923, 464 § 2; 1928, 316 § 4; amended, 1929, 238 § 1.

SECT. 6 amended, 1922, 342 § 1; revised, 1931, 142 § 4.

SECT. 7 revised, 1921, 189, 434, 483; amended, 1922, 342 § 2; 1923, 335; revised, 1928, 328 § 1; affected, 1928, 328 § 2; amended, 1929, 43.

SECT. 7A added, 1929, 252 (providing for the periodic inspection of motor vehicles, motor cycles and trailers).

SECT. 8 amended, 1921, 403 § 1; 1923, 464 § 3; 1925, 283.

SECT. 9 amended, 1922, 303 § 3; sentence added at end, 1928, 187 § 1; section revised, 1928, 381 § 3; amended, 1929, 180; 1931, 95.

SECT. 9A added, 1930, 354 § 1 (requiring certain automobiles used for the carriage of passengers for hire to be equipped with non-scatterable glass wind shields). (See 1930, 354 §§ 2, 3.)

SECT. 10 amended, 1923, 464 § 4; revised, 1929, 262; last sentence revised, 1930, 332 § 4; same sentence stricken out, 1931, 47 § 4; section revised, 1931, 142 § 5.

SECT. 11 amended, 1929, 101.

SECT. 12 amended, 1923, 464 § 5; 1925, 201 § 1.

SECT. 14 revised, 1925, 305; amended, 1928, 166.

SECT. 17 amended, 1931, 201.

SECT. 18 amended, 1928, 357 § 8.

SECT. 19 revised, 1925, 180 § 1; 1927, 72; 1929, 313; sentence added at end, 1930, 297; section revised, 1931, 138 § 2.

SECT. 20 amended, 1922, 130.

SECT. 21 revised, 1921, 349; amended, 1931, 426 § 202.

SECT. 22 amended, 1923, 464 § 6.

SECTS. 23–25. See 1922, 36.

SECT. 23 amended, 1921, 304; 1925, 201 § 2; 1926, 267 § 2; affected, 1926, 296.

SECT. 24 amended, 1924, 183; 1925, 201 § 3; revised, 1925, 297 § 1; amended, 1926, 253; affected, 1926, 296; amended, 1928, 213 § 1; revised, 1928, 281 § 1; amended, 1929, 274.

SECT. 24A added, 1926, 361 § 1 (relative to motor vehicles used in the commission of certain crimes).

SECT. 28 amended, 1922, 202; 1923, 362 § 65; revised, 1931, 426 § 203.

SECT. 29 amended, 1923, 464 § 7; 1924, 364; revised, 1924, 498; 1929, 230; amended, 1931, 426 § 204.

SECT. 30, amended, 1923, 464 § 8.

SECT. 31. See 1922, 36.

SECT. 31A added, 1924, 457 (regulating the transportation of personal property over public ways by motor vehicles); amended, 1931, 394 § 48.

SECT. 32 revised, 1924, 379.

SECT. 32A added, 1925, 237 § 1 (authorizing the restoration or substituting of serial numbers on motor vehicles in certain cases).

SECT. 32B added, 1928, 25 (relative to keeping of records of motor vehicles leased upon a mileage basis).

SECT. 33 amended, 1921, 403 § 2; revised, 1923, 464 § 9; 1925, 342 § 1; (paragraph in lines 4–9) amended, 1926, 244; (paragraph in lines 10–24) amended, 1926, 349 § 1; (paragraph in lines 87–89) revised, 1926, 277; 1927, 134; section revised, 1928, 316 § 5; new paragraph inserted, 1930, 332 § 5; thirteenth and fourteenth paragraphs (as appearing in 1928, 316 § 5) stricken out and new paragraph inserted, 1931, 142 § 6; fifteenth and sixteenth paragraphs (as appearing in 1928, 316 § 5) amended, 1930, 391; paragraph inserted by 1930, 332 § 5 revised, 1931, 47 § 5; last paragraph (as appearing in 1928, 316 § 5) stricken out, 1931, 426 § 205.

SECT. 34 revised, 1921, 112 § 1; 1925, 288 § 1; 1928, 316 § 6; clause (*h*) added at end, 1929, 343 § 4.

SECTS. 34A–34I added, 1925, 346 § 2 (relative to the manner of furnishing security for the recovery of damages for personal injuries caused by certain motor vehicles and to the recovery of the same); section 34A amended, 1926, 368 § 2; section 34B revised, 1927, 127 § 1; section 34H revised, 1926, 368 § 3; sections 34A–34I stricken out and new sections 34A–34J inserted, 1928, 381 § 4; section 34A (inserted by 1928, 381 § 4), third and fourth paragraphs revised, 1930, 340 § 1; section 34D (inserted by 1928, 381 § 4) amended, 1930, 340 § 2. (See 1930, 340 § 5.)

SECTS. 35–43 superseded and new sections 35–59 inserted, 1922, 534 § 1.

SECT. 35 (as appearing in 1922, 534 § 1) revised, 1928, 388 § 1.

SECT. 36 (as appearing in 1922, 534 § 1) revised, 1928, 388 § 2.

SECT. 38 (as appearing in 1922, 534 § 1) amended, 1928, 388 § 3.

SECT. 39 (as appearing in 1922, 534 § 1) amended, 1928, 388 § 4.

SECT. 40 (as appearing in 1922, 534 § 1) amended, 1931, 244 § 1, 303 § 1.

SECT. 41 (as appearing in 1922, 534 § 1) amended, 1925, 189 § 1; revised, 1928, 388 § 5; first paragraph amended, 1931, 303 § 2.

SECT. 45 (as appearing in 1922, 534 § 1) amended, 1928, 388 § 6.

SECT. 46 (as appearing in 1922, 534 § 1) amended, 1931, 244 § 2.

SECT. 47 (as appearing in 1922, 534 § 1) revised, 1928, 388 § 7; amended, 1930, 33 § 1.

SECT. 49 (as appearing in 1922, 534 § 1) revised, 1928, 388 § 8; amended, 1930, 33 § 2.

SECT. 50 (as appearing in 1922, 534 § 1) revised, 1930, 33 § 3.

SECT. 53 (as appearing in 1922, 534 § 1) amended, 1925, 189 § 2; 1928, 388 § 9; 1931, 303 § 3.

SECT. 55 (as appearing in 1922, 534 § 1) amended, 1928, 388 § 10.

SECT. 57 (as appearing in 1922, 534 § 1) revised, 1928, 388 § 11.

SECT. 58 (as appearing in 1922, 534 § 1) amended, 1928, 388 § 12.

SECT. 59 (as appearing in 1922, 534 § 1) amended, 1925, 189 § 3; 1928, 388 § 13.

SECT. 60 added, 1928, 388 § 14 (relative to jurisdiction of superior court in equity to enforce sections 35–59).

Chapter 91. — Waterways.

Division of waterways and public lands of department of public works abolished, 1927, 297.

SECT. 1, paragraph added at end, 1927, 106 § 1; last paragraph (as printed in the General Laws) revised, 1931, 394 § 49.

SECT. 2, first sentence amended, 1931, 394 § 50.

SECT. 2A added, 1925, 264 § 1 (relative to the control of property acquired in connection with the Pilgrim Tercentenary); amended, 1931, 394 § 51.

SECT. 3 amended, 1931, 394 § 52.

SECT. 4 amended, 1931, 394 § 53.

SECT. 5 amended, 1931, 394 § 54.

SECT. 6 amended, 1931, 394 § 55.

SECT. 7 amended, 1931, 394 § 56.

SECT. 8 amended, 1931, 394 § 57.

SECT. 9 amended, 1931, 394 § 58.

SECTS. 10, 12–22, inclusive. See 1927, 106 § 1.

SECT. 10 amended, 1931, 394 § 59.

SECT. 11 amended, 1931, 394 § 60.

SECT. 12 revised, 1922, 262 § 1; amended, 1931, 394 § 61.

SECT. 13 amended, 1931, 394 § 62.

SECT. 14 revised, 1930, 99 § 1; amended, 1931, 426 § 206.

SECT. 15 amended, 1927, 39 § 1.

SECT. 16 amended, 1931, 394 § 63.

SECT. 17, second sentence amended, 1931, 394 § 64.

SECT. 18 amended, 1931, 394 § 65.

SECT. 18A added, 1923, 453 (providing access for the public to great ponds); first sentence amended, 1931, 394 § 66.

SECT. 20 amended, 1931, 394 § 67.

SECT. 21 amended, 1931, 394 § 68.

SECT. 22 amended, 1931, 394 § 69.

SECT. 23 amended, 1931, 394 § 70.
SECT. 24 revised, 1925, 196 § 1.
SECT. 25 amended, 1931, 394 § 71.
SECT. 27 amended, 1931, 394 § 72.
SECT. 28. See 1927, 106 § 1.
SECT. 29 amended, 1931, 394 § 73.
SECT. 30, first sentence amended, 1931, 394 § 74.
SECT. 31 amended, 1931, 394 § 75.
SECT. 32 amended, 1931, 394 § 76.
SECT. 33 amended, 1923, 57 § 2; 1931, 426 § 207.
SECT. 34 amended, 1930, 99 § 2. (See 1927, 106 § 1.)
SECT. 36 amended, 1931, 394 § 77.
SECT. 37 amended, 1931, 394 § 78.
SECT. 38 amended, 1931, 394 § 79.
SECT. 39 amended, 1931, 394 § 80.
SECT. 40 amended, 1931, 394 § 81.
SECT. 41 amended, 1931, 394 § 82.
SECT. 42, first sentence amended, 1931, 394 § 83.
SECT. 43 amended, 1931, 394 § 84.
SECT. 45 amended, 1931, 394 § 85.
SECT. 46 amended, 1931, 394 § 86.
SECT. 47 amended, 1931, 394 § 87.
SECT. 48 amended, 1931, 394 § 88.
SECT. 49 revised, 1928, 122.
SECT. 50 amended, 1931, 394 § 89.
SECT. 52 amended, 1925, 196 § 2; 1931, 394 § 90.
SECT. 53 amended, 1931, 394 § 91.
SECT. 54 amended, 1931, 394 § 92.
SECT. 55 amended, 1931, 394 § 93.
SECT. 59 added, 1929, 181 (prohibiting the discharge of oils and their products into or on certain waters and flats).

Chapter 92. — Metropolitan Sewers, Water and Parks.

Act providing for the admission of Needham to the south metropolitan sewerage system, 1924, 59.

Act admitting Canton, Norwood, Stoughton and Walpole to the south metropolitan sewerage district, 1928, 384.

Act providing for Braintree a sewer connection with the south metropolitan sewerage system under the provisions of 1910, 546; 1930, 398.

Act admitting Weymouth to the south metropolitan sewerage district, 1930, 419.

SECT. 1 affected, 1924, 59; 1928, 384; 1930, 398, 419; revised, 1931, 426, § 208. (See 1910, 546.)
SECT. 10, first paragraph amended, 1928, 189; section revised, 1931, 421.
SECT. 17 revised, 1926, 316 § 1.
SECT. 21 amended, 1931, 426 § 10.
SECT. 24 amended, 1931, 426 § 209.
SECT. 26, second paragraph amended, 1925, 308.
SECT. 36 revised, 1923, 230.
SECT. 37 amended, 1926, 316 § 2.

SECT. 38 amended, 1926, 316 § 3.
SECT. 43 revised, 1924, 390 § 1; amended, 1925, 83 § 1.
SECT. 44 revised, 1924, 390 § 2; amended, 1925, 83 § 2; revised, 1926, 33.
SECT. 46 amended, 1924, 390 § 3.
SECT. 47 amended, 1924, 390 § 4.
SECT. 48 amended, 1922, 14.
SECTS. 56–59 affected, 1931, 122 § 5.
SECT. 56 amended, 1921, 112 § 3; 1925, 288 § 3.
SECT. 63A added, 1923, 221 (authorizing the payment of reasonable hospital, medical and surgical expenses of police officers of the metropolitan district commission injured while on duty).
SECT. 64 revised, 1923, 350.
SECT. 65 amended, 1930, 421 § 1.
SECT. 72 amended, 1931, 394 § 94.
SECT. 73 amended, 1931, 394 § 95.
SECT. 74A added, 1929, 371 § 11 (licensing of certain recreational facilities for use in connection with the Charles river basin).
SECTS. 76A–76E added, 1928, 238 (authorizing the metropolitan district commission to permit certain municipalities bordering on the Charles river basin to take water therefrom for fire protection and certain other purposes).
SECT. 76E amended, 1931, 426 § 210.
SECT. 87 amended, 1931, 426 § 211.
SECT. 99 amended, 1923, 362 § 66.

Chapter 93. — Regulation of Trade and Certain Enterprises.

Special commission on the necessaries of life, 1919, 341, 365; 1920, 610, 628; 1921, 325; 1922, 343; 1923, 320; 1924, 99, 320; 1925, 273; 1927, 263; 1929, 269. Powers and duties transferred to division on the necessaries of life, in the department of labor and industries, 1930, 380.
SECT. 10 amended, 1921, 486 § 21.
SECTS. 19 and 20 repealed, 1931, 426 § 212.
SECT. 21 amended, 1931, 426 § 213.
SECT. 23 revised, 1931, 426 § 214.
SECTS. 24–28. See 1930, 302 § 3.
SECT. 25 revised, 1930, 302 § 1.
SECT. 26 revised, 1930, 302 § 2.
SECT. 29 amended, 1924, 327; 1931, 394 § 96.
SECT. 30 amended, 1924, 334 § 1.
SECT. 30A added, 1924, 490 (providing for abatement and removal of certain billboards, signs and other devices); amended, 1931, 394 § 97.
SECT. 32 amended, 1924, 85.
SECTS. 35 and 36 repealed, 1923, 470 § 3.
SECT. 37 revised, 1922, 395 § 1; repealed, 1923, 470 § 3.
SECT. 38 repealed, 1923, 470 § 3.
SECT. 39 revised, 1922, 395 § 2; repealed, 1923, 470 § 3.
SECT. 40 revised, 1931, 103.
SECT. 41 repealed, 1921, 486 § 22.

Chapter 94. — Inspection and Sale of Food, Drugs and Various Articles.

Special commission on the necessaries of life, 1919, 341, 365; 1920, 610, 628; 1921, 325; 1922, 343; 1923, 320; 1924, 99, 320; 1925, 273; 1927, 263; 1929, 269. Powers and duties transferred to division on the necessaries of life, in the department of labor and industries, 1930, 380.

SECT. 1, paragraph in lines 30–32 amended, 1925, 117; five paragraphs added at end, 1927, 274 § 1; four paragraphs added at end, 1928, 307 § 1.

SECT. 7 revised, 1922, 186 § 1.

SECT. 8 amended, 1921, 94; 1922, 186 § 2.

SECT. 9 amended, 1922, 186 § 3.

SECT. 10 amended, 1922, 186 § 4.

SECTS. 10A–10E added, 1921, 303 (regulating the manufacture and bottling of certain non-alcoholic beverages).

SECT. 12 revised, 1929, 267 § 1.

SECT. 14A added, 1924, 310 § 1 (relative to "Grade A Milk").

SECT. 15 amended, 1924, 310 § 2.

SECT. 17A added, 1923, 170 (prohibiting the combination of certain fats and oils with milk, cream or skimmed milk); amended, 1925, 120.

SECT. 21 revised, 1929, 267 § 2.

SECT. 25 amended, 1929, 279 § 1.

SECT. 26 amended, 1929, 279 § 2.

SECT. 27 amended, 1929, 279 § 3.

SECT. 29 revised, 1929, 279 § 4.

SECT. 29A added, 1929, 279 § 5 (relative to the methods and frequency of making tests for determining the composition of milk or cream).

SECT. 30 revised, 1929, 279 § 6.

SECT. 31 revised, 1929, 279 § 7.

SECT. 41, sentence added at end, 1929, 171 § 1.

SECT. 42A added, 1929, 171 § 2 (requiring certain licensed milk dealers to submit financial reports to the commissioner of agriculture).

SECT. 43 amended, 1924, 122.

SECT. 48A added, 1927, 259 (relative to the licensing of establishments for the pasteurization of milk).

SECT. 49 amended, 1928, 130 § 1.

SECT. 51 amended, 1923, 84.

SECT. 55 revised, 1928, 130 § 2.

SECTS. 64 and 65 stricken out and new sections 64, 65–65F inserted, 1927, 278 § 1 (establishing a standard for ice cream and regulating its manufacture and sale); caption revised, 1931, 93 § 1.

SECT. 64A added, 1931, 93 § 2 (definition of sherbet).

SECT. 65A (inserted by 1927, 278 § 1) amended, 1931, 93 § 3.

SECT. 65B (inserted by 1927, 278 § 1) amended, 1931, 93 § 4.

SECTS. 65C and 65D (inserted by 1927, 278 § 1) repealed, 1928, 229 § 2.

SECT. 74 revised, 1922, 17 § 1.

SECT. 76 revised, 1922, 17 § 2.

SECT. 81 revised, 1922, 338 § 1.

SECT. 82 revised, 1922, 338 § 2; 1928, 40 § 1.

SECT. 88A added, 1929, 210 (requiring the marking of containers of scallops with designation of source).

SECT. 92A added, 1921, 486 § 23 (sale of decayed eggs).
SECTS. 93–95 repealed, 1928, 362.
SECT. 96 revised, 1922, 355 § 1.
SECT. 97 repealed, 1922, 355 § 8.
SECT. 99 amended, 1922, 355 § 2.
SECT. 99A added, 1921, 248 (establishing a standard for boxes and half boxes for farm produce at wholesale).
SECTS. 101–105, 107, 109–114 stricken out, and new sections 101–109 added, 1931, 194 (relative to the packing, grading, inspection, sale and distribution of apples).
SECT. 101 revised, 1926, 264 § 1; amended, 1928, 180 § 1.
SECT. 102 amended, 1924, 119 § 1.
SECT. 103 amended, 1926, 264 § 2; revised, 1928, 180 § 2.
SECT. 104 revised, 1924, 119 § 2.
SECT. 104A added, 1924, 119 § 3 (regulating the marking or branding of open packages of apples).
SECT. 105 amended, 1924, 119 § 4; 1926, 264 § 3.
SECT. 106 amended, 1924, 119 § 5; repealed, 1926, 264 § 4.
SECT. 108 repealed, 1922, 355 § 8.
SECT. 111, three sentences added at end, 1926, 264 § 5.
SECT. 112 amended, 1926, 35; revised, 1926, 264 § 6.
SECT. 113 revised, 1926, 264 § 7.
SECTS. 117A–117F added, 1922, 438 § 1 (providing for the grading and inspection of onions); stricken out and new sections 117A–117F inserted, 1927, 270 (providing for establishing grades and standards for farm products).
SECT. 117A (as appearing in 1927, 270) amended, 1928, 57.
SECT. 117C (as appearing in 1927, 270) revised, 1931, 175.
SECT. 119 amended, 1924, 496 § 1.
SECT. 120A added, 1924, 496 § 2 (regulating the fee for licenses for slaughter houses in certain towns).
SECT. 128 amended, 1931, 426 § 215.
SECT. 142 amended, 1923, 425 § 1.
SECT. 143 revised, 1930, 318.
SECT. 143A added, 1923, 425 § 2 (relative to the sale of vegetable sausages).
SECT. 147A added, 1929, 106 (authorizing the department of public health to make regulations relative to game, poultry and certain other meat intended for food purposes).
SECT. 150 amended, 1927, 46; 1928, 40 § 2.
SECT. 150A added, 1921, 486 § 24 (penalizing the sale of unwholesome food or drink, etc.).
SECT. 152 amended, 1931, 426 § 74.
SECT. 156 revised, 1929, 103.
SECT. 158 revised, 1926, 122 § 1.
SECT. 159 revised, 1926, 122 § 2.
SECT. 163 revised, 1922, 524.
SECT. 164 revised, 1922, 206.
SECT. 165 revised, 1931, 289.
SECT. 173 repealed, 1922, 355 § 8.
SECT. 177 amended, 1923, 155 § 3.
SECT. 179 repealed, 1931, 426 § 11.
SECT. 184A added, 1921, 486 § 25 (marking of packages, etc., of foods or medicines containing certain drugs).

SECT. 185 repealed, 1921, 486 § 26.
SECT. 185A added, 1927, 278 § 2 (providing that sections 186–195 shall not apply to ice cream).
SECT. 186, cl. Seventh added, 1923, 166 (prohibiting the inflation of meat with gas or air).
SECT. 189 amended, 1925, 42.
SECT. 191 amended, 1924, 228.
SECT. 194A added, 1931, 357 (relative to the sale or delivery of adulterated shellfish).
SECT. 198 amended, 1924, 208.
SECT. 209 revised, 1922, 535 § 1; amended, 1924, 239 § 1.
SECT. 209A added, 1924, 239 § 2 (relative to permits to have in possession hypodermic instruments).
SECT. 210 amended, 1922, 535 § 2.
SECT. 212 revised, 1922, 535 § 3.
SECT. 218 repealed, 1922, 355 § 8.
SECT. 219 amended, 1922, 355 § 3.
SECT. 220 repealed, 1922, 355 § 8.
SECT. 221 amended, 1922, 355 § 4.
SECT. 222 revised, 1922, 355 § 5.
SECT. 223 repealed, 1922, 355 § 8.
SECT. 224 revised, 1922, 355 § 6.
SECT. 227 revised, 1922, 400 § 1.
SECT. 228 amended, 1922, 400 § 2.
SECT. 229 revised, 1922, 400 § 3.
SECT. 237 amended, 1922, 355 § 7.
SECTS. 238–249. As to the appointment, duties, authority and powers of a fuel administrator, see 1922, 544; 1923, 217; 1924, 320 § 3; 1925, 273 § 3; 1927, 263; 1929, 269. Powers and duties of fuel administrator transferred to division on the necessaries of life in the department of labor and industries, 1930, 380.
SECT. 239 repealed, 1931, 426 § 12.
SECT. 239A added, 1926, 382 (authorizing the establishment of a legal standard of sizes for anthracite coal).
SECT. 240 amended, 1921, 95 § 2; 1923, 196 § 2.
SECT. 241 amended, 1921, 95 § 1; revised, 1923, 196 § 1; 1926, 217.
SECT. 243 amended, 1921, 89 § 1.
SECT. 248 amended, 1921, 89 § 2; 1923, 155 § 2.
SECTS. 249A–249F added, 1923, 155 § 1 (relative to the sale of coal).
SECTS. 261A–261L added, 1927, 274 § 2 (regulating the sale of agricultural seeds).
SECT. 269 repealed, 1931, 426 § 13.
SECT. 270 revised, 1923, 226 § 1; 1928, 307 § 2.
SECT. 271 amended, 1923, 226 § 2; 1928, 307, § 3.
SECT. 272 amended, 1923, 226 § 3; 1928, 307 § 4.
SECT. 273 revised, 1923, 226 § 4; amended, 1928, 307 § 5.
SECT. 277 revised, 1923, 226 § 5.
SECT. 298 revised, 1921, 251 § 1.
SECT. 299 revised, 1921, 251 § 2.
SECT. 304 amended, 1921, 486 § 27.
SECT. 305A added, 1924, 50 (relative to sanitary food, so called).
SECT. 305B added, 1928, 229 § 1 (relative to the examination of persons engaged in the handling of food).

Chapter 96. — Survey of Lumber.

SECTS. 1–6 repealed, 1924, 258 § 3.
SECT. 9 revised, 1924, 258 § 4.
SECT. 10 amended, 1924, 258 § 5.
SECT. 11 amended, 1924, 258 § 6.
SECT. 12 repealed, 1924, 258 § 3.

Chapter 98. — Weights and Measures.

SECT. 12 revised, 1921, 263 § 1.
SECT. 13 revised, 1921, 263 § 2.
SECT. 14 revised, 1921, 263 § 3.
SECT. 14A added, 1931, 49 (relative to glass bottles or jars intended to be used in the sale of lubricating oils).
SECT. 18 revised, 1921, 45 § 1; affected, 1924, 90.
SECT. 19 revised, 1921, 45 § 2; affected, 1924, 90.
SECT. 22 revised, 1921, 374.
SECT. 29 amended, 1924, 258 § 7; 1925, 72.
SECT. 41 amended, 1923, 32 § 1.
SECT. 42 amended, 1923, 32 § 2; 1927, 95 § 1.
SECT. 56 revised, 1927, 95 § 2.
SECT. 57 amended, 1931, 426 § 58.
SECT. 58 repealed, 1922, 355 § 8.

Chapter 100. — Auctioneers.

SECT. 5 amended, 1921, 127.
SECTS. 14–17 added, 1925, 331 (relative to the licensing and regulation of proprietors of establishments for the sale at auction of certain personal property).

Chapter 101. — Transient Vendors, Hawkers and Pedlers.

SECT. 1 amended, 1921, 106 § 1; 1923, 102 § 1.
SECT. 2 amended, 1921, 106 § 2; 1923, 102 § 2; 1926, 120 § 1.
SECT. 3 amended, 1926, 120 § 2.
SECT. 15 amended, 1929, 349 § 1.
SECT. 16 revised, 1929, 349 § 2.
SECT. 17 amended, 1923, 285; revised, 1927, 185 § 1; 1929, 349 § 3; amended, 1931, 278, 429.
SECT. 19 amended, 1929, 349 § 4.
SECT. 22 revised, 1929, 349 § 5.
SECT. 23 amended, 1927, 185 § 2; revised, 1929, 349 § 6.
SECT. 25 amended, 1927, 119; revised, 1929, 349 § 7.
SECT. 27 revised, 1929, 349 § 8.
SECT. 30 amended, 1923, 154; revised, 1928, 214; amended, 1929, 349 § 9.
SECT. 33 amended, 1931, 394 § 115.

Chapter 102. — Shipping and Seamen, Harbors and Harbor Masters.

SECT. 5 amended, 1926, 241 § 2; 1928, 155 § 2.

Chapter 103. — Pilots.

SECTS. 1–14 superseded and new sections 1–6 inserted, 1923, 390 § 1.
SECT. 2 (as appearing in 1923, 390 § 1) amended, 1931, 426 § 59.
SECT. 15 amended, 1923, 390 § 2.
SECT. 16 revised, 1923, 390 § 3.
SECT. 17 amended, 1923, 390 § 4.
SECT. 29 repealed, 1923, 390 § 5.

Chapter 108A. — Partnerships.

New chapter added by 1922, 486 § 1.

Chapter 109. — Limited Partnerships.

Chapter repealed and superseded by 1923, 112 § 1.
The following references are to the new Chapter 109:
SECT. 2, cl. (1) (*b*) amended, 1931, 394 § 161.
SECT. 25, paragraphs (4) and (5) revised, 1931, 426 § 216.
SECT. 31 added, 1924, 231 (fees for filing certificates under the uniform limited partnership act); revised, 1925, 194; amended, 1931, 394 § 162.

Chapter 109A. — Fraudulent Transfers of Real and Personal Property.

New chapter added by 1924, 147 § 1.

Chapter 110. — Labels, Trade Marks, Names and Registration thereof.

SECT. 4A added, 1927, 62 § 1 (regulating the use of the word "corporation" or "incorporated" or any abbreviated form thereof as a part of a name or title under which business is transacted).
SECT. 6 amended, 1929, 6 § 2.
SECT. 8 amended, 1931, 426 § 217.
SECT. 18 amended, 1930, 155.
SECT. 21 revised, 1924, 37 § 1.
SECT. 22 revised, 1924, 37 § 2.
SECT. 23 amended, 1924, 37 § 3.
SECT. 24 amended, 1924, 37 § 4.
SECT. 25 amended, 1924, 37 § 5.
SECT. 26 amended, 1927, 62 § 2.
SECT. 28 amended, 1924, 37 § 6.

Chapter 110A. — Promotion and Sale of Securities.

New chapter added by 1921, 499 § 1 ("Blue Sky Law", so called).
SECT. 2, subdiv. (*a*) amended, 1929, 287 § 2; subdiv. (*g*) amended, 1924, 487 § 1.
SECT. 3, subdiv. (*d*) amended, 1930, 316; subdiv. (*g*) amended, 1930, 289.
SECT. 5 amended, 1923, 47; 1924, 487 § 2.
SECT. 6 amended, 1922, 435 § 1; 1924, 487 § 3.
SECT. 6A added, 1929, 287 § 3 (enlarging the authority of the body administering the "Sale of Securities Act", so called, to require the submission of statements).

SECT. 7 amended, 1922, 435 § 2.
SECT. 8 amended, 1922, 317 § 1; revised, 1922, 435 § 3; amended, 1923, 48; revised, 1924, 487 § 4; amended, 1926, 211.
SECT. 9 amended, 1924, 487 § 5.
SECT. 10, paragraph (*b*) amended, 1922, 317 § 2; 1924, 487 § 6.
SECT. 13 repealed, 1922, 259 § 2.
SECT. 15 revised, 1924, 487 § 7.

Chapter 111. — Public Health.

SECT. 5 amended, 1921, 322; 1929, 161.
SECT. 7 amended, 1931, 213 § 3.
SECT. 25 amended, 1922, 200.
SECT. 27A added, 1929, 77 (authorizing the appointment of health officers by unions of two or more towns).
SECT. 31 revised, 1924, 180.
SECT. 31A added, 1921, 358 (providing for registration of collectors of garbage, etc.).
SECT. 32 amended, 1931, 394 § 116.
SECT. 39 amended, 1921, 315 § 1; 1931, 426 § 75.
SECTS. 44 and 45 repealed, 1928, 229 § 2.
SECT. 48 affected, 1921, 315 § 1.
SECT. 57 revised, 1924, 256.
SECTS. 62A–62G added, 1924, 248 § 2 (relative to children's health camps).
SECT. 62H added, 1925, 17 § 2 (providing for care and treatment of underweight and undernourished children of school age by contract).
SECT. 63 amended, 1924, 477 § 3. (See 1924, 477 § 1.)
SECT. 65A added, 1924, 508 § 1 (providing for treatment of extrapulmonary tuberculosis at Lakeville state sanatorium).
SECT. 66 revised, 1924, 460 § 1; amended, 1924, 500 § 3; 1927, 139.
SECT. 68 repealed, 1924, 477 § 4.
SECT. 69 repealed, 1931, 426 § 14.
SECT. 69A added, 1927, 236 (relative to patients at the Pondville Hospital at Norfolk); section stricken out and new sections 69A–69D inserted, 1928, 336 (relative to admissions and charges at the Pondville Hospital). (See 1926, 391; 1927, 328.)
SECT. 70 amended, 1923, 337; 1926, 149.
SECT. 71 amended, 1931, 213 § 1.
SECT. 73 amended, 1931, 213 § 2.
SECT. 76 amended, 1926, 284.
SECTS. 78–91 affected, 1924, 443, 500, 501. (See 1928, 385; 1930, 52; 1931, 60, providing for temporary care and treatment of adult residents of certain counties suffering from pulmonary tuberculosis.)
SECT. 78 revised, 1924, 501 § 1.
SECT. 79 revised, 1924, 500 § 1.
SECT. 81 revised, 1924, 500 § 2.
SECT. 82 revised, 1922, 393 § 1; 1923, 113 § 1.
SECTS. 83–85. See 1921, 185 (apportionment of expense incurred by county of Middlesex for a tuberculosis hospital). See 1923, 429 (apportionment of expense incurred by county of Essex for a tuberculosis hospital); 1924, 443 § 7.
SECT. 84 repealed, 1931, 426 § 218.

SECT. 85 amended, 1923, 113 § 2; 1927, 73 § 2; revised, 1928, 354 § 2; amended, 1931, 36 § 2.

SECT. 85A added, 1923, 113 § 3 (authorizing county commissioners to make temporary loans to provide funds for the care, maintenance and repair of county tuberculosis hospitals); second sentence amended, 1931, 301 § 17A.

SECT. 85B added, 1927, 73 § 1 (relative to county preventoria for the treatment of children predisposed or susceptible to tuberculosis); revised, 1928, 354 § 1.

SECT. 85C added, 1931, 36 § 1 (furnishing by county tuberculosis hospital districts of diagnostic service to combat the spread of tuberculosis).

SECT. 86 amended, 1922, 393 § 2.

SECT. 87. See 1930, 400 §§ 5, 7–9.

SECT. 91 amended, 1924, 443 § 2; revised, 1924, 501 § 2; amended, 1930, 339.

SECT. 92 amended, 1924, 501 § 3.

SECT. 108 amended, 1931, 426 § 15.

SECT. 112, two new sentences added at end, 1925, 215.

SECT. 116 amended, 1926, 241 § 3; revised, 1927, 91; second, third and fourth sentences amended, 1931, 394 § 117.

SECT. 121 amended, 1928, 155 § 3.

SECT. 174A added, 1931, 21 § 1 (to prevent the defilement by gulls or terns of waters used for domestic water supply).

SECT. 182 revised, 1931, 426 § 219.

Chapter 112. — Registration of Certain Professions and Occupations.

SECT. 2 amended, 1922, 340 § 1; 1924, 239 § 3; 1931, 426 § 220.

SECT. 2A added, 1923, 13 (relative to the qualifications of applicants for registration as qualified physicians).

SECT. 3 amended, 1921, 313, 409; revised, 1922, 340 § 2.

SECT. 6 amended, 1927, 137.

SECT. 7 amended, 1931, 426 § 221.

SECT. 9A added, 1922, 426 (providing for the registration of medical students for the limited practice of medicine).

SECT. 12A added, 1927, 69 (relative to reports of treatment of certain wounds caused by firearms).

SECT. 24 amended, 1924, 53.

SECT. 34 amended, 1923, 233 § 8.

SECT. 35. See 1927, 224.

SECT. 38 amended, 1921, 318.

SECT. 44 revised, 1927, 147; amended, 1929, 70.

SECT. 45A added, 1921, 365 (providing for registration of dental internes).

SECT. 46 revised, 1926, 215.

SECT. 48 revised, 1922, 221.

SECT. 51 amended, 1924, 103.

SECT. 53 amended, 1931, 426 § 222.

SECT. 61 revised, 1921, 478 § 1.

SECT. 65 revised, 1921, 478 § 2.

SECT. 68 revised, 1926, 321 § 1.

SECT. 72 amended, 1926, 321 § 2; 1931, 426 § 223.

SECT. 73 amended, 1926, 321 § 3.

SECT. 80 amended, 1931, 426 § 224.

SECT. 82, two sentences added at end, 1921, 419; revised, 1931, 202 § 1.

SECT. 87 amended, 1931, 426 § 225.

SECTS. 87A–87E added, 1923, 470 § 2 (relative to the registration of certified public accountants).

SECT. 87E amended, 1931, 426 § 226.

SECTS. 87F–87S (under caption "REGISTRATION OF BARBERS") added, 1931, 418 § 2. [See 1931, 418 § 7 (provisions of said sections not to apply to certain territory).]

Chapter 113. — Promotion of Anatomical Science.

SECT. 1 amended, 1931, 426 § 227.

Chapter 114. — Cemeteries and Burials.

SECT. 45 revised, 1922, 176 § 1; amended, 1926, 243 § 2; 1927, 48; 1931, 414.

SECT. 46 amended, 1926, 243 § 3.

SECT. 47 revised, 1921, 333; second paragraph revised, 1926, 243 § 4.

SECT. 49 revised, 1926, 242 § 1. (See 1926, 242 § 2.)

SECT. 50 amended, 1922, 176 § 2.

Chapter 115. — State and Military Aid, Soldiers' Relief, etc.

For a complete list of temporary war legislation prior to 1921, see Tables of Changes for 1920 under chapter 16 of the Revised Laws, superseded by chapter 33 of the General Laws.

As to allowances for the burial expenses of certain persons who died overseas in the service of the United States in the world war, see 1923, 258.

Provision for allowances to certain organizations of persons who served in the world war for the expenses of certain military funerals or burials in which they participate, see 1923, 396.

State pay and "bonus" for war service, 1917, 211, 332; 1918, 92; 1919, 283 (§ 17 repealed by 1924, 448 § 2); 1920, 51, 250, 609; 1922, 457. 1921, 326 and 1922, 240, extending time for filing applications for payments to November 30, 1921, and further to November 30, 1923. Time limit for filing applications abolished, 1927, 206. (See 1924, 452.) 1921, 354, entitling student nurses of medical department of United States army during world war to receive the "bonus". 1924, 447, enlarging class of persons to whom payment may be made. 1924, 448, entitling "yeomen F" to receive the "bonus".

Provisions relative to military aid affected by 1930, 195 (making certain Massachusetts veterans receiving hospital treatment outside the commonwealth eligible to receive military aid).

SECT. 3A added, 1923, 181 (relative to the payment of state and military aid and soldiers' relief); revised, 1931, 426 § 228.

SECT. 6 amended, 1921, 222 §§ 1, 2; 1924, 357; (paragraphs in lines 45–62) stricken out and new paragraph inserted, 1926, 301; (paragraph appearing in 1926, 301) amended, 1927, 219; new paragraph inserted, 1931, 248 § 1; new paragraph inserted, 1931, 248 § 2.

SECT. 7 amended, 1921, 222 § 3; 1922, 229; 1924, 280; revised, 1928, 255; amended, 1930, 233 § 1; revised, 1931, 248 § 3.
SECT. 9 amended, 1930, 186.
SECT. 10, second paragraph amended, 1921, 222 § 4; 1928, 155 § 4; 1931, 248 § 4; third paragraph amended, 1928, 155 § 5.
SECT. 12 amended, 1928, 155 § 6.
SECT. 15 amended, 1923, 362 § 67.
SECT. 17 revised, 1927, 308; second paragraph revised, 1929, 160; first paragraph revised, 1930, 110; section revised, 1930, 192; amended, 1931, 248 § 5.
SECT. 18 revised, 1925, 137.
SECT. 19 revised, 1924, 262; amended, 1926, 155; 1930, 233 § 2.
SECT. 20 amended, 1923, 362 § 68; 1924, 266; 1927, 226; 1928, 155 § 7.
SECT. 23 repealed, 1931, 426 § 16.
SECT. 25 added, under caption "HOSPITAL OR HOME CARE", 1929, 340.

Chapter 116. — Settlement (former title, Settlement of Paupers).

Title amended, 1928, 155 § 8.
SECT. 1, cl. Fifth amended, 1922, 177.
SECT. 2 amended, 1928, 155 § 9.
SECT. 3 amended, 1925, 187 § 2; repealed, 1928, 155 § 10.
SECT. 4, sentence added at end, 1925, 187 § 1; first sentence stricken out, 1928, 155 § 11.
SECT. 5 revised, 1922, 479; amended, 1925, 34; revised, 1926, 292; third sentence amended, 1931, 394 § 211.

Chapter 117. — Support by Cities and Towns (former title, Support of Paupers by Cities and Towns).

Title amended, 1928, 155 § 12.
SECT. 2 revised, 1931, 426 § 17.
SECT. 3 revised, 1928, 155 § 13.
SECT. 4 repealed, 1931, 426 § 18.
SECT. 5 amended, 1928, 155 § 14.
SECT. 6, last sentence stricken out, 1928, 155 § 15.
SECT. 7 amended, 1928, 155 § 16.
SECT. 8 amended, 1928, 155 § 17.
SECT. 9 amended, 1928, 155 § 18.
SECT. 11 amended, 1928, 155 § 19.
SECT. 13 amended, 1928, 155 § 20.
SECT. 14 amended, 1931, 394 § 118.
SECT. 15 amended, 1928, 155 § 21.
SECT. 16 amended, 1928, 155 § 22.
SECT. 17 amended, 1923, 298; 1926, 241 § 4; 1928, 155 § 23.
SECT. 18 revised, 1924, 221; amended, 1926, 241 § 5; 1928, 155 § 24.
SECT. 20 amended, 1931, 394 § 119.
SECT. 21 amended, 1931, 426 § 19.
SECT. 23 amended, 1928, 155 § 25.
SECT. 24 amended, 1928, 155 § 26.
SECT. 25 revised, 1931, 394 § 120.
SECT. 26 amended, 1927, 80; revised, 1928, 155 § 27.

SECT. 27 revised, 1931, 394 § 121.
SECT. 29 amended, 1928, 155 § 28.
SECT. 30 amended, 1928, 155 § 29.
SECT. 31 revised, 1931, 394 § 122.
SECT. 32 amended, 1928, 155 § 30.
SECT. 34 amended, 1931, 394 § 123.
SECT. 35 amended, 1928, 155 § 31.
SECT. 36 amended, 1928, 155 § 32.
SECT. 37 amended, 1928, 155 § 33.
SECT. 38 repealed, 1928, 155 § 58.
SECT. 39 repealed, 1931, 426 § 20.
SECT. 40 amended, 1931, 394 § 124.
SECTS. 41 and 42 repealed, 1931, 426 § 20.

Chapter 118. — Aid to Mothers with Dependent Children.

SECT. 1 amended, 1922, 376; sentence added at end, 1930, 381; section amended, 1931, 415.
SECT. 2 amended, 1931, 394 § 125.
SECT. 3 revised, 1931, 394 § 126.
SECT. 4 revised, 1931, 394 § 127.
SECT. 5 revised, 1931, 394 § 128.
SECT. 6 amended, 1926, 241 § 6.

Chapter 118A. — Adequate Assistance to Certain Aged Citizens.

New chapter added by 1930, 402 § 1. (See 1930, 402 §§ 2, 3.)
For temporary act imposing old age assistance tax on certain male inhabitants of the Commonwealth in the years 1931 and 1932, see 1931, 398.

Chapter 119. — Protection and Care of Children, and Proceedings against Them.

SECT. 6 amended, 1931, 426 § 229.
SECT. 11 amended, 1931, 195 § 1.
SECT. 15 repealed, 1931, 426 § 21.
SECT. 19 repealed, 1931, 195 § 6.
SECT. 21 amended, 1931, 394 § 129.
SECT. 22 amended, 1931, 195 § 2.
SECTS. 23–27 repealed, 1931, 195 § 6.
SECT. 28 amended, 1931, 195 § 3.
SECT. 30A added, 1931, 433 (regulating the reception and placing in families of children from without the commonwealth).
SECTS. 31–36 repealed, 1931, 195 § 6.
SECT. 36A added, 1927, 168 (authorizing the appointment of certain charitable corporations as guardians of minor children); amended, 1931, 426 § 230.
SECT. 38 amended, 1931, 195 § 4.
SECT. 41 amended, 1931, 195 § 5.
SECT. 45 revised, 1931, 209 § 1.
SECT. 46 revised, 1931, 209 § 2.
SECT. 49 amended, 1931, 209 § 3.
SECT. 50 amended, 1931, 209 § 4.
SECT. 51 amended, 1931, 209 § 5.
SECT. 55, first paragraph amended, 1931, 207.

SECT. 56 revised, 1927, 181 § 1.
SECT. 58A added, 1931, 215 (requiring mental and physical examinations of children before being committed as delinquents).
SECT. 64 amended, 1929, 179 § 3.
SECT. 65 revised, 1931, 217.
SECT. 67 amended, 1927, 221; second paragraph amended, 1931, 216; third paragraph revised, 1931, 284 § 1.
SECT. 83 amended, 1931, 208.

Chapter 120. — Massachusetts Training Schools.

SECT. 3 amended, 1931, 301 § 90.
SECT. 8 amended, 1923, 362 § 69.
SECT. 10 amended, 1923, 362 § 70.
SECT. 14 revised, 1931, 426 § 22.
SECT. 18 repealed, 1923, 245 § 2.
SECT. 23 amended, 1924, 78.
SECT. 23A added, 1927, 241 § 1 (providing for the payment into the state treasury of unclaimed money held by the trustees of the Massachusetts training schools for the benefit of former wards).

Chapter 121. — Powers and Duties of the Department of Public Welfare, and the Massachusetts Hospital School.

SECT. 1 amended, 1927, 45.
SECT. 7 amended, 1928, 155 § 34.
SECT. 8 revised, 1928, 155 § 35; amended, 1931, 256 § 1.
SECT. 9 amended, 1921, 486 § 28; revised, 1928, 155 § 36.
SECT. 10 amended, 1928, 155 § 37.
SECT. 12 amended, 1928, 155 § 38.
SECT. 16 amended, 1931, 426 § 23.
SECTS. 17–19 repealed, 1931, 426 § 24.
SECT. 22, last sentence amended, 1931, 394 § 130.
SECT. 22A added, under caption "BOARDING HOMES FOR AGED PERSONS," 1929, 305 (relative to boarding homes for aged persons and to the licensing and supervision of the same by the department of public welfare).
SECT. 29 revised, 1922, 306.
SECT. 30 amended, 1931, 301 § 91.
SECT. 31 amended, 1924, 344; 1928, 155 § 39.
SECT. 38 amended, 1931, 394 § 131.
SECT. 39 amended, 1928, 155 § 40.
SECT. 41 amended, 1928, 155 § 41.
SECT. 42 added, 1926, 241 § 1 (relative to the approval and payment of accounts against the commonwealth on account of certain poor, sick and dependent persons); amended, 1931, 389.

Chapter 122. — State Infirmary (former title, State Infirmary and State Paupers).

Title amended, 1928, 155 § 42.
SECT. 1 amended, 1924, 259 § 1; fourth sentence amended, 1931, 301 § 92.
SECT. 2A added, 1928, 231 (relative to the powers and duties of the trustees of the state infirmary with respect to gifts).

SECT. 3 revised, 1928, 155 § 43.
SECT. 4 amended, 1923, 362 § 71.
SECT. 6 amended, 1923, 362 § 72; revised, 1924, 259 § 2.
SECT. 7 revised, 1928, 155 § 44.
SECT. 8 amended, 1928, 155 § 45.
SECT. 9 repealed, 1931, 426 § 25.
SECT. 10 amended, 1928, 155 § 46.
SECT. 11 amended, 1928, 155 § 47.
SECT. 12 amended, 1928, 155 § 48; repealed, 1930, 66.
SECT. 14 amended, 1928, 155 § 49.
SECT. 15 amended, 1923, 177; 1926, 241 § 7; 1928, 155 § 50.
SECT. 16 amended, 1928, 155 § 51.
SECT. 17 amended, 1931, 394 § 132.
SECT. 18 amended, 1926, 241 § 8.
SECT. 19 amended, 1923, 362 § 73; repealed, 1926, 241 § 9.
SECT. 21 amended, 1928, 155 § 52.
SECT. 22 repealed, 1928, 155 § 53.
SECT. 24 amended, 1921, 430 § 2; 1931, 426 § 231.
SECT. 25 amended, 1921, 430 § 3.

Chapter 123. — Commitment and Care of the Insane and Other Mental Defectives.

SECT. 3 amended, 1928, 155 § 54.
SECT. 3A added, 1922, 519 § 2 (relative to the powers and duties of the department of mental diseases concerning the mental health of citizens).
SECT. 6 amended, 1928, 338.
SECT. 7, second sentence amended, 1931, 301 § 93.
SECT. 10 amended, 1924, 287 § 1.
SECT. 13A added, 1922, 519 § 3 (relative to the powers and duties of the division of mental hygiene in the department of mental diseases).
SECT. 16 amended, 1921, 317 § 1.
SECT. 16A added, 1930, 338 (relative to the care outside of institutions, with provision for occupational therapy, of certain patients under the control of the department of mental diseases).
SECT. 17 amended, 1923, 362 § 74. (See 1922, 545 §§ 1, 5.)
SECT. 20 amended, 1921, 317 § 2; 1922, 410 § 4; 1923, 245 § 1.
SECT. 21 amended, 1924, 287 § 2.
SECT. 22A added, 1923, 467 § 1 (relative to the commitment of insane persons to the Bridgewater state hospital, and to the transfer or discharge of inmates thereof).
SECT. 23 amended, 1931, 394 § 212.
SECT. 25 amended, 1922, 410 § 5; 1925, 293 § 3; revised, 1930, 403 § 3 (but see 1930, 403 §§ 4–6).
SECT. 29, paragraph (*i*). See 1931, 309.
SECT. 32 amended, 1922, 193; 1923, 362 § 75.
SECT. 33 amended, 1926, 229 § 1.
SECT. 34 amended, 1926, 229 § 2.
SECT. 34A added, 1924, 287 § 3 (relative to licensing physicians to have charge of federal institutions for the care of insane veterans).
SECT. 39A added, 1930, 176 (providing for payment to the state treasurer of unclaimed funds, known as "patients' funds", at certain state hospitals).

Sect. 44 repealed, 1931, 426 § 26.
Sect. 45 amended, 1922, 410 § 6; 1925, 293 § 4.
Sect. 46 amended, 1922, 410 § 7; 1925, 293 § 5.
Sect. 51 amended, 1922, 410 § 8; 1925, 293 § 6.
Sect. 61 revised, 1931, 426 § 232.
Sect. 62 amended, 1922, 535 § 4.
Sect. 66 amended, 1922, 410 § 9; 1925, 293 § 7; 1931, 288 § 1.
Sect. 66A added, 1921, 441 § 1 (commitment of feeble-minded persons to supervision of department of mental diseases, etc.); revised, 1924, 88 § 1.
Sect. 67 amended, 1922, 410 § 10; 1925, 293 § 8.
Sect. 70 amended, 1931, 288 § 2.
Sect. 74 revised, 1926, 104.
Sect. 77 amended, 1924, 19; 1929, 136.
Sect. 79 revised, 1929, 222.
Sect. 80 revised, 1922, 535 § 5; amended, 1931, 426 § 233.
Sect. 86 amended, 1926, 132.
Sect. 88A added, 1922, 337 (providing for the parole of inmates of state schools for the feeble-minded).
Sect. 89 amended, 1922, 535 § 6.
Sect. 89A added, 1921, 441 § 2 (discharge of certain feeble-minded persons committed under § 66A); amended, 1924, 88 § 2.
Sect. 89B added, 1921, 441 § 2 (relative to petitions for discharge of certain feeble-minded persons committed under § 66A).
Sect. 91 amended, 1922, 410 § 11; 1925, 293 § 9.
Sect. 93 amended, 1922, 410 § 12; 1925, 293 § 10.
Sect. 96, first paragraph amended, 1921, 317 § 3; same paragraph revised, 1925, 314; 1926, 274.
Sect. 100 amended, 1923, 467 § 2.
Sect. 100A added, 1921, 415 (investigation by department of mental diseases of certain persons held for trial); amended, 1923, 331; 1925, 169; 1927, 59 § 1; 1929, 105.
Sect. 101 amended, 1923, 467 § 3.
Sect. 102 revised, 1929, 213 § 1.
Sect. 103 revised, 1929, 213 § 2; amended, 1931, 166 § 1.
Sect. 104 revised, 1929, 213 § 3; amended, 1931, 166 § 2.
Sect. 105 amended, 1923, 467 § 4; revised, 1929, 213 § 4; 1931, 166 § 3.
Sect. 109 revised, 1931, 426 § 234.
Sect. 113 revised, 1921, 270 § 1; 1922, 535 § 7; 1928, 333.
Sect. 114 revised, 1922, 535 § 8.
Sect. 115 revised, 1922, 535 § 9.
Sect. 117 amended, 1921, 270 § 2; revised, 1922, 535 § 10.
Sect. 118 amended, 1922, 535 § 11.
Sect. 119 amended, 1922, 535 § 12.
Sect. 121 amended, 1923, 397.
Sect. 124 amended, 1922, 535 § 13.

Chapter 124. — Powers and Duties of the Department of Correction.

Sect. 1 revised, 1931, 426 § 235.
Sect. 5 amended, 1931, 426 § 236.
Sect. 6 amended, 1931, 426 § 237.

Chapter 125. — Penal and Reformatory Institutions of the Commonwealth.

As to the commitment of drug addicts and dipsomaniacs to institutions under the department of correction, see 1922, 535 §§ 4–13.

SECT. 2 amended, 1927, 289 § 2.
SECT. 3 amended, 1923, 362 § 76; 1927, 289 § 3.
SECT. 4 amended, 1927, 289 § 4.
SECT. 5 amended, 1923, 362 § 77.
SECT. 6, last sentence stricken out, 1931, 301 § 94.
SECT. 10 revised, 1929, 170 § 1.
SECT. 13 amended, 1926, 343 § 1; 1931, 426 § 238.
SECT. 14 amended, 1924, 260.
SECT. 15 amended, 1926, 343 § 5.
SECT. 22 revised, 1926, 343 § 2; 1929, 332 § 1.
SECT. 23 amended, 1928, 28 § 2.
SECT. 24 amended, 1926, 343 § 3.
SECT. 25 revised, 1930, 360 § 3.
SECT. 26 amended, 1923, 362 § 78.
SECT. 29 revised, 1926, 343 § 4; 1929, 332 § 2.
SECT. 34 revised, 1923, 362 § 79.
SECT. 38, first sentence amended, 1931, 301 § 95.
SECT. 40 amended, 1931, 301 § 96.
SECTS. 41A–41E added, 1927, 289 § 1 (relative to the state prison colony).
SECT. 41A (inserted by 1927, 289 § 1) amended, 1931, 426 § 239.
SECT. 41C (inserted by 1927, 289 § 1) amended, 1931, 301 § 97.
SECT. 42 repealed, 1921, 486 § 29.
SECT. 46, last sentence stricken out, 1931, 301 § 98.
SECT. 48, first sentence amended, 1931, 301 § 99.
SECT. 49 amended, 1923, 362 § 80; 1927, 289 § 5.
SECTS. 51 and 52 repealed, 1923, 362 § 81. (See 1922, 545 §§ 10–16.)
SECT. 53. See 1922, 545 §§ 10–16.
SECT. 54 amended, 1923, 362 § 82.

Chapter 126. — Jails, Houses of Correction and Reformation, and County Industrial Farms.

SECTS. 13–15 repealed, 1931, 426 § 27.
SECTS. 14, 16, 18–20. See 1930, 400 §§ 5, 7–9.
SECT. 16 amended, 1931, 426 § 240.
SECT. 18 revised, 1931, 301 § 18.
SECTS. 19 and 20 repealed, 1931, 301 § 19.
SECT. 21 revised, 1931, 426 § 28.
SECT. 30 amended, 1925, 173.
SECT. 36. See 1930, 400 §§ 5, 7–9.
SECT. 38 revised, 1925, 222.

Chapter 127. — Officers and Inmates of Penal and Reformatory Institutions, Paroles and Pardons.

As to the commitment of drug addicts and dipsomaniacs to institutions under the department of correction, see 1922, 535 §§ 4–13.

SECT. 10 amended, 1931, 426 § 241.
SECT. 11 amended, 1926, 343 § 6.

SECT. 12 amended, 1929, 170 § 2.
SECT. 16 amended, 1924, 309 § 1.
SECT. 17 revised, 1924, 309 § 2; amended, 1929, 179 § 4.
SECT. 18 amended, 1924, 309 § 3.
SECT. 23 revised, 1931, 350 § 4.
SECT. 24, last sentence amended, 1931, 301 § 102; section repealed, 1931, 350 § 10. (See 1931, 350 § 2.)
SECT. 25 revised, 1931, 350 § 5.
SECT. 26 repealed, 1931, 350 § 10.
SECT. 27 revised, 1931, 350 § 6.
SECT. 28 revised, 1931, 350 § 7.
SECT. 29 revised, 1931, 350 § 8.
SECT. 30 amended, 1931, 301 § 103; revised, 1931, 350 § 9.
SECT. 31 repealed, 1931, 350 § 10.
SECT. 48A added, 1928, 387 (improving the administration of prison industries and abolishing gratuities to prisoners in certain institutions).
SECTS. 51–78. See 1922, 545 §§ 10–12.
SECT. 51 amended, 1927, 289 § 6.
SECT. 52 amended, 1931, 301 § 20. (See 1930, 400 §§ 5, 7–9.)
SECT. 57 revised, 1923, 362 § 83.
SECT. 68 amended, 1931, 301 § 21. (See 1930, 400 §§ 5, 7–9.)
SECT. 71 amended, 1923, 362 § 84; 1927, 302.
SECT. 75 amended, 1931, 394 § 98.
SECT. 76 amended, 1931, 394 § 99.
SECT. 81 amended, 1931, 394 § 100.
SECT. 84, first sentence amended, 1931, 394 § 101.
SECT. 90A added, 1923, 52 (allowing inmates of penal institutions to attend the funerals of their spouses and next of kin).
SECT. 95 revised, 1931, 426 § 29.
SECT. 96 amended, 1928, 155 § 55.
SECT. 109A added, 1931, 204 § 1 (relative to the removal of certain prisoners to the state prison colony).
SECT. 112 repealed, 1931, 426 § 30.
SECT. 127 amended, 1923, 150.
SECT. 128 amended, 1930, 60 § 1.
SECT. 137A added, 1931, 204 § 2 (relative to the granting of permits to be at liberty to prisoners removed to the state prison colony).
SECT. 140 amended, 1931, 426 § 31.
SECT. 143, last sentence stricken out, 1931, 426 § 32.
SECT. 149 amended, 1930, 60 § 2.
SECT. 151 amended, 1928, 155 § 56.
SECT. 160 amended, 1924, 299.
SECT. 161 amended, 1923, 362 § 85.
SECT. 162 amended, 1928, 132.

Chapter 128. — Agriculture.

Provision for co-operation between the United States department of agriculture and the commonwealth in the collection and publication of agricultural statistics, 1921, 253.
SECT. 2, cl. (*f*) revised, 1921, 206.
SECT. 8 revised, 1922, 438 § 2.
SECT. 14 amended, 1924, 94 § 1.
SECT. 22 revised, 1925, 58 § 1; 1929, 91 § 1.

SECT. 23 amended, 1923, 362 § 86.
SECT. 25 amended, 1925, 58 § 2; revised, 1929, 91 § 2.
SECT. 27 amended, 1926, 31 § 1.
SECT. 28 amended, 1925, 58 § 3.
SECT. 29 revised, 1926, 31 § 2.
SECT. 30 amended, 1923, 147 § 1; revised, 1927, 67.
SECT. 31A added, 1923, 147 § 2 (relative to the disposition of corn stalks and stubble in connection with the suppression of the European corn borer).
SECT. 38 amended, 1926, 23.
SECT. 39. See 1921, Resolve 5 (providing for preparation and publication of a report on the birds of Massachusetts); 1924, Resolve 36; 1926, Resolves 4, 31; 1927, Resolves 24, 25; 1929, Resolve 5; 1931, Resolve 23.
SECT. 40 amended, 1931, 301 § 22.
SECT. 43. See 1930, 400 §§ 5, 7–9.
SECT. 44, last sentence amended, 1931, 301 § 23.

Chapter 129. — Animal Industry.

SECT. 2 amended, 1930, 203.
SECT. 11 amended, 1922, 353 § 1.
SECT. 12 revised, 1922, 353 § 2 (repealed by 1922, 353 § 4 from and after August 1, 1923).
SECT. 12A added, 1924, 304 § 1 (relative to compensation by the commonwealth in certain cases where cattle affected with tuberculosis are killed).
SECT. 17 amended, 1929, 48.
SECT. 26A added, 1924, 495 (relative to the admission into the commonwealth of cattle to be used for dairy purposes).
SECT. 31A added, 1927, 215 (relative to the delivery, receipt and use of tuberculin).
SECT. 32 amended, 1927, 335 § 2.
SECT. 33 revised, 1922, 353 § 3; 1927, 303; amended, 1927, 335 § 3; 1928, 332 § 1; revised, 1930, 341.
SECT. 33A added, 1922, 137 (providing for certain requirements in case of the transfer of possession of bovine animals which have reacted to the tuberculin test); revised, 1924, 156.
SECT. 33B added, 1927, 335 § 1 (providing for the application in certain cases of test for bovine tuberculosis to all cattle in a town); revised, 1930, 123 § 1. (See 1929, 197; 1930, 123 § 2.)

Chapter 130. — Powers and Duties of the Division of Fisheries and Game. Fisheries.

Possession of protected fish permitted under certain conditions if lawfully caught in this commonwealth or elsewhere, 1922, 187 § 1.
NOTE: A considerable portion of the subject-matter of the sections of original chapter 130 repealed by 1930, 393 § 1 is included in the new chapter 131 inserted by 1930, 393 § 2.
SECT. 1, two paragraphs added at end, 1922, 187 § 1; new paragraph inserted, 1929, 372 § 2.
SECT. 2 revised, 1929, 372 § 3; repealed, 1930, 393 § 1.
SECT. 3 repealed, 1930, 393 § 1.
SECT. 4 amended, 1929, 372 § 4; repealed, 1930, 393 § 1.

SECT. 5 amended, 1929, 372 § 5; repealed, 1930, 393 § 1.
SECT. 6 amended, 1924, 184; 1929, 372 § 6; repealed, 1930, 393 § 1.
SECT. 7 repealed, 1930, 393 § 1.
SECT. 8 amended, 1929, 372 § 7; repealed, 1930, 393 § 1.
SECT. 9 repealed, 1927, 280 § 4.
SECTS. 10 and 11 repealed, 1930, 393 § 1.
SECT. 11A added, 1929, 372 § 8 (relative to the preparation of certain publications and the conduct of certain biological research by the supervisor of marine fisheries).
SECT. 12 amended, 1929, 372 § 9; repealed, 1930, 393 § 1.
SECT. 13 amended, 1930, 101 § 1; repealed, 1930, 393 § 1.
SECT. 14 amended, 1929, 372 § 10; repealed, 1930, 393 § 1.
SECTS. 15–21 repealed, 1930, 393 § 1.
SECT. 22 revised, 1922, 124; amended, 1929, 372 § 11; repealed, 1930, 393 § 1.
SECT. 23 revised, 1921, 467 § 9; 1925, 295 § 1; repealed, 1930, 393 § 1.
SECTS. 24–28 repealed, 1930, 393 § 1.
SECT. 28A added, 1924, 191 (relative to the establishment of breeding areas in certain great ponds); repealed, 1930, 393 § 1.
SECTS. 29–34 repealed, 1930, 393 § 1.
SECT. 35 revised, 1926, 195 § 2; amended, 1928, 8; repealed, 1930, 393 § 1.
SECTS. 36–38 repealed, 1930, 393 § 1.
SECTS. 40–43 repealed, 1930, 393 § 1.
SECT. 49 revised, 1923, 269; amended, 1926, 19 § 1; 1927, 5; 1928, 74 § 1; repealed, 1930, 393 § 1.
SECT. 50 repealed, 1930, 393 § 1.
SECT. 51 amended, 1926, 19 § 2; 1928, 74 § 2; repealed, 1930, 393 § 1.
SECT. 52 repealed, 1930, 393 § 1.
SECT. 53 revised, 1926, 19 § 4; repealed, 1930, 393 § 1.
SECT. 54 repealed, 1930, 393 § 1.
SECT. 54A added, 1926, 19 § 3 (authorizing a trout breeding area in a certain section of the Deerfield river); amended, 1928, 74 § 3; repealed, 1930, 393 § 1.
SECTS. 55–57 repealed, 1930, 393 § 1.
SECTS. 58–60. See 1921, 224 (imposing temporary restrictions on taking of pickerel).
SECT. 58 revised, 1923, 268 § 1; repealed, 1930, 393 § 1.
SECT. 59 revised, 1923, 268 § 2; amended, 1926, 27; repealed, 1930, 393 § 1.
SECT. 60 repealed, 1930, 393 § 1.
SECT. 61 amended, 1922, 148; revised, 1923, 268 § 3; repealed, 1930, 393 § 1. (See 1929, 321.)
SECT. 62 repealed, 1930, 393 § 1.
SECT. 62A added, 1923, 212 (relative to the taking, possession and sale of pike perch); repealed, 1930, 393 § 1.
SECT. 62B added, 1929, 82 (relative to the taking, possession or sale of great northern pike or muscallonge); repealed, 1930, 393 § 1.
SECT. 64 amended, 1921, 197; revised, 1922, 444; repealed, 1930, 393 § 1.
SECTS. 65 and 66 repealed, 1930, 393 § 1.
SECT. 74 amended, 1929, 372 § 12.
SECT. 75 revised, 1926, 195 § 1; repealed, 1930, 393 § 1.
SECTS. 76 and 77 repealed, 1930, 393 § 1.

SECT. 77A added, 1922, 108 (relative to fishing with floats in fresh water ponds); repealed, 1930, 393 § 1.

SECT. 78 repealed, 1930, 393 § 1.

SECT. 78A added, 1921, 188 (imposing restrictions on the taking of fresh water fish); revised, 1923, 268 § 4; 1927, 6; 1929, 47; repealed, 1930, 393 § 1.

SECT. 79 amended, 1929, 372 § 13.

SECT. 80 revised, 1928, 113 § 1.

SECT. 82 amended, 1929, 372 § 14.

SECT. 84 amended, 1928, 113 § 2; revised, 1929, 304; last sentence revised, 1929, 372 § 28. (See 1930, 53 § 7.)

SECT. 84A added, 1922, 80 (issuing of permits for the taking of shellfish by unnaturalized foreign-born persons).

SECTS. 90A–90D added, under caption "CRABS", 1930, 414.

SECT. 90A (inserted by 1930, 414) amended, 1931, 328.

SECT. 92 revised, 1928, 263 § 1; amended, 1929, 372 § 15.

SECT. 93 revised, 1928, 263 § 2; amended, 1929, 372 § 16.

SECT. 98 amended, 1928, 131; 1929, 372 § 17.

SECT. 101 amended, 1929, 372 § 18.

SECT. 102 amended, 1929, 372 § 19.

SECT. 104 revised, 1921, 116 § 1; amended, 1922, 161; 1924, 96 § 1; 1928, 263 § 3; 1929, 372 § 20. (See 1928, 263 § 5.)

SECT. 105 revised, 1928, 21.

SECT. 106 amended, 1929, 372 § 21.

SECT. 109 amended, 1929, 372 § 22.

SECT. 112 amended, 1929, 372 § 23.

SECT. 129 amended, 1929, 372 § 24.

SECTS. 137–142 repealed and new sections 137–139 added, 1926, 370 § 1.

SECT. 138 (as appearing in 1926, 370 § 1) revised, 1928, 266 § 1; 1929, 372 § 25.

SECT. 139 (as appearing in 1926, 370 § 1) revised, 1928, 266 § 2.

SECTS. 142A and 142B added, 1928, 323 (regulating the taking of shellfish from contaminated waters and relative to the purification of such shellfish).

SECT. 142A (inserted by 1928, 323) revised, 1930, 235.

SECT. 142B (inserted by 1928, 323) amended, 1929, 372 § 26.

SECT. 144A added, 1928, 269 (regulating the importation and sale of shellfish taken from grounds outside the commonwealth).

SECT. 145 revised, 1921, 24; amended, 1931, 394 § 102.

SECT. 148 amended, 1929, 372 § 27.

SECT. 150 amended, 1926, 195 § 3; repealed, 1930, 393 § 1.

SECTS. 151, 153 and 154 repealed, 1930, 393 § 1.

Chapter 131. — Powers and Duties of the Division of Fisheries and Game. Game and Inland Fisheries. [Old title, Preservation of Certain Birds and Animals. Hunting and Fishing Licenses.]

Provision for preparation and publication of a report on the birds of Massachusetts, 1921, Resolve 5; 1924, Resolve 36; 1926, Resolves 4, 31; 1927, Resolves 24, 25; 1929, Resolve 5.

Taking of quail in the counties of Essex, Hampden, Hampshire, Middlesex, Norfolk, Worcester and Nantucket prohibited until the year 1930, 1925, 103; 1928, 177.

Close season on ruffed grouse, except as to Dukes County, until the year 1930, 1928, 178; 1929, 209.

Entire chapter repealed, and new chapter 131 (with new title) inserted, 1930, 393 § 2.

The following references are to the original chapter 131:

SECT. 1 amended, 1922, 187 § 2.

SECT. 3 revised, 1921, 467 § 1; amended, 1925, 295 § 2; 1926, 352 § 1.

SECT. 4 revised, 1921, 467 § 2; 1925, 295 § 3.

SECT. 5 repealed, 1925, 295 § 4.

SECT. 6 revised, 1921, 467 § 3; 1925, 295 § 5; 1926, 352 § 2.

SECT. 7 revised, 1921, 467 § 4; repealed, 1925, 295 § 6.

SECT. 8 revised, 1921, 467 § 5; repealed, 1925, 295 § 7.

SECT. 9 amended, 1921, 467 § 6; revised, 1925, 295 § 8; 1926, 352 § 3.

SECT. 10 amended, 1924, 325; revised, 1925, 295 § 9.

SECT. 11 revised, 1925, 295 § 10.

SECT. 12 revised, 1925, 295 § 11.

SECT. 13 revised, 1921, 467 § 7; 1925, 295 § 12.

SECT. 14 revised, 1921, 467 § 8; amended, 1925, 295 § 13.

SECT. 16 amended, 1923, 68; revised, 1925, 295 § 14.

SECT. 19 amended, 1921, 75; 1926, 151 § 1.

SECT. 20 amended, 1926, 151 § 2.

SECT. 26 amended, 1928, 20.

SECT. 29 revised, 1921, 107 § 1; 1925, 249 § 1.

SECT. 30 revised, 1921, 107 § 2; 1925, 249 § 2.

SECT. 33 amended, 1924, 211 § 1; 1926, 151 § 3.

SECT. 34 amended, 1926, 151 § 4; 1928, 72.

SECT. 35A added, 1926, 151 § 5 (providing for supplying of woodcock, etc., to educational institutions for scientific purposes).

SECT. 36 amended, 1926, 151 § 6.

SECT. 37 amended, 1922, 171 § 1; revised, 1923, 307 § 1; amended, 1930, 193 § 2.

SECT. 39 revised, 1923, 307 § 2; 1928, 271.

SECT. 41 revised, 1929, 44.

SECT. 44A added, 1924, 211 § 2 (relative to the killing, etc., of ruffed grouse). (See 1924, 211 § 1.)

SECT. 45 amended, 1923, 99 § 1.

SECT. 46 amended, 1921, 152; 1922, 117 § 2; revised, 1922, 160; 1925, 179; amended, 1926, 88.

SECT. 46A added, 1922, 117 § 1 (relative to the importation of live hares and rabbits for purposes of propagation or liberation).

SECT. 48 amended, 1923, 99 § 2; revised, 1924, 130.

SECT. 49 revised, 1926, 181.

SECT. 51 revised, 1921, 121; amended, 1925, 104; revised, 1925, 320 § 2.

SECT. 51A added, 1923, 185 (requiring annual reports to the division of fisheries and game relative to fur-bearing animals caught or killed in this commonwealth).

SECT. 53 repealed, 1927, 142.

SECT. 57 revised, 1928, 24.

SECT. 57A added, 1930, 193 § 1 (prohibiting graining of wild birds for certain purposes).

SECT. 58 amended, 1923, 99 § 3; revised, 1925, 334; amended, 1928, 220; 1929, 83.

SECT. 58A added, 1925, 334 (penalizing use, etc., of snares for catching or killing any animal).
SECT. 61 revised, 1922, 183.
SECT. 63 amended, 1925, 320 § 3; 1926, 66 § 2; 1928, 215. (See 1929, 138.)
SECT. 66 revised, 1922, 128.
SECT. 67 revised, 1921, 257 § 1; amended, 1927, 194; revised, 1928, 361.
SECT. 68 amended, 1925, 320 § 1; 1926, 66 § 1.
SECT. 69 amended, 1923, 301 § 1.
SECT. 72 amended, 1921, 55.
SECT. 81 amended, 1922, 171 § 2; 1923, 307 § 3.
SECT. 82A added, 1921, 90 (relative to the release of wild birds or animals).
SECT. 85 amended, 1921, 159.
SECT. 90 amended, 1925, 199.

The following references are to the new chapter 131, as appearing in 1930, 393 § 2:

SECT. 1 amended, 1931, 436 § 1.
SECT. 5, second sentence amended, 1931, 393 § 2.
SECT. 6 amended, 1931, 263 § 1; last sentence amended, 1931, 393 § 3.
SECT. 8 amended, 1931, 263 § 2; paragraph (2) amended, 1931, 393 § 4; section revised, 1931, 436 § 2.
SECT. 13 revised, 1931, 436 § 3.
SECT. 20 revised, 1931, 436 § 4.
SECT. 25 revised, 1931, 436 § 5.
SECT. 31, first sentence amended, 1931, 393 § 5.
SECT. 57 amended, 1931, 393 § 5A.
SECT. 59 amended, 1931, 393 § 6.
SECT. 59A added, 1930, 428 (forbidding the use of certain traps or other devices for the capture of fur-bearing animals); number changed to section 105A, 1931, 426 § 242.
SECT. 60 amended, 1931, 393 § 7.
SECT. 71, sentence added at end, 1931, 436 § 6.
SECT. 72 amended, 1931, 393 § 9; sentence added at end, 1931, 436 § 7.
SECT. 81, second sentence amended, 1931, 393 § 8.
SECT. 83, paragraph added at end, 1931, 272.
SECT. 93 revised, 1931, 436 § 8.
SECT. 94 revised, 1931, 27 § 1; 1931, 436 § 9.
SECT. 95 amended, 1931, 436 § 10.
SECT. 98, first sentence amended, 1931, 393 § 10.
SECT. 101 amended, 1931, 436 § 11.
SECT. 103 amended, 1931, 436 § 12.
SECT. 104 amended, 1931, 436 § 13.
SECT. 105A (formerly section 59A), number changed, 1931, 426 § 242.
SECT. 108 amended, 1931, 436 § 14.
SECT. 109, next to last sentence stricken out, 1931, 436 § 15.
SECT 113 amended, 1931, 436 § 16.
SECT. 116 amended, 1931, 393 § 11.
SECT. 116A added, 1931, 436 § 17 (relative to the acquisition and regulation of public shooting grounds).

SECT. 118 amended, 1931, 393 § 12.
SECT. 119 amended, 1931, 393 § 13.
SECT. 120 amended, 1931, 393 § 14.
SECT. 120A added, 1931, 183 (granting the consent of the commonwealth to the acquisition of migratory game refuges by the federal government).
SECT. 124 amended, 1931, 291 § 2.
SECT. 127 amended, 1931, 393 § 15.
SECT. 128 amended, 1931, 393 § 16.
SECT. 129A added, 1931, 291 § 1 (authorizing the sale to licensed dealers of deer, moose, caribou and elk lawfully taken outside of the commonwealth).
SECT. 130 amended, 1931, 393 § 17.
SECT. 131 amended, 1931, 393 § 18.
SECT. 134, last sentence amended, 1931, 393 § 19; sentence added at end, 1931, 436 § 18.
SECT. 135, two sentences added at end, 1931, 270.
SECT. 136 amended, 1931, 393 § 20; sentence added at end, 1931, 436 § 19.

Chapter 132. — Forestry.

Mohawk Trail State Forest established, 1921, 344.
Bash Bish Falls State Forest established, 1924, 159.
Willard Brook State Forest established, 1929, 355.
SECT. 1 amended, 1931, 144 § 6.
SECT. 2 revised, 1924, 284 § 1; last two sentences revised, 1931, 126 § 1.
SECT. 9 amended, 1926, 164.
SECT. 10 amended, 1921, 271 § 1; repealed, 1931, 126 § 4.
SECT. 14, paragraph in lines 24–29 amended, 1923, 311; section revised, 1923, 472 § 2; amended, 1931, 426 § 60.
SECT. 16 amended, 1923, 472 § 3.
SECT. 17 amended, 1931, 426 § 76.
SECT. 30 amended, 1922, 185; revised, 1923, 288 § 1.
SECT. 31 amended, 1931, 126 § 2.
SECT. 33, sentence added at end, 1921, 238; amended, 1923, 288 § 2; 1930, 274.
SECT. 34 amended, 1928, 87.
SECT. 34A added, 1923, 288 § 3 (relative to the sale or exchange of forest and certain other lands under the supervision of the department of conservation and to the granting of certain rights of way and locations for telephone, etc., lines thereon); first paragraph revised, 1931, 126 § 3.
SECT. 35 amended, 1924, 24.
SECTS. 38 and 39 added, 1924, 284 § 2 (relative to state trails or paths).

Chapter 132A. — State Parks and Reservations Outside of the Metropolitan Parks District.

New chapter added by 1931, 391 § 3.

Chapter 135. — Unclaimed and Abandoned Property.

SECT. 7 amended, 1927, 30.
SECTS. 8–11 affected, 1927, 30.
SECT. 8 revised, 1927, 163.

Chapter 136. — Observance of the Lord's Day.

"Sunday professional sports initiative act", so called, 1928, 406.

SECT. 2 amended, 1928, 406 § 1; 1931, 275, 426 § 243.

SECT. 4 amended, 1926, 326.

SECT. 6 amended, 1927, 175; 1928, 234; 1929, 118; 1930, 143; revised, 1930, 179; 1931, 240.

SECT. 10 amended, 1922, 119; revised, 1930, 90; amended, 1931, 176.

SECT. 11 revised, 1931, 41 § 1.

SECT. 17 amended, 1931, 71.

SECTS. 21–28 stricken out and new sections 21–25 inserted, 1928, 406 § 2. (See 1928, 406 § 3.)

SECT. 21 (inserted by 1928, 406 § 2) amended, 1931, 174.

SECTS. 26–32 added, 1931, 426 § 244 (reinserting in the General Laws provisions permitting amateur outdoor sports and games on the Lord's Day).

Chapter 137. — Gaming.

SECT. 4 amended, 1926, 353.

Chapter 138. — Intoxicating Liquors and Certain Non-Intoxicating Beverages.

SECT. 2A added, 1923, 370 (relative to the manufacture, transportation, importation or exportation of intoxicating liquors and certain non-intoxicating beverages); repealed, 1930, 427.

SECT. 4. See 1921, 356, 450; 1926, 92.

SECTS. 5–9. See 1921, 356, 450.

SECT. 8 affected, 1921, 356, 450.

SECT. 11A added, 1925, 33 (dispensing with the vote at city and town elections on the question of granting liquor licenses for such period as sales thereunder would be unlawful).

SECT. 15 amended, 1922, 285.

SECT. 18 amended, 1923, 233 § 1.

SECT. 25 revised, 1923, 233 § 2.

SECT. 28 amended, 1923, 233 § 3.

SECTS. 30 and 31 repealed, 1923, 233 § 4.

SECT. 32 amended, 1923, 233 § 5; 1931, 394 § 133.

SECT. 37 revised, 1927, 169.

SECT. 43 amended, 1923, 291.

SECT. 54 revised, 1921, 495; amended, 1922, 22.

SECT. 64A added, 1931, 359 (relative to the search and seizure of intoxicating liquors in a dwelling without a search warrant).

SECT. 68 amended, 1929, 329 § 1.

SECT. 69 revised, 1923, 329.

SECT. 71, sentence added at end, 1929, 329 § 2.

SECT. 75 amended, 1923, 435.

SECT. 76 repealed, 1926, 108 § 2.

SECT. 87 amended, 1923, 233 § 6.

SECT. 88 amended, 1923, 233 § 7.

Chapter 139. — Common Nuisances.

Sect. 11 amended, 1931, 426 § 33.
Sect. 12 amended, 1931, 426 § 34.
Sect. 16A added, 1928, 125 (relative to liquor nuisances).

Chapter 140. — Licenses.

For definition of "licensing authorities", as used in this chapter, see 1926, 92.
Sect. 1 revised, 1926, 92 § 1.
Sect. 5 amended, 1931, 426 § 35.
Sect. 6 amended, 1931, 426 § 36.
Sect. 7 revised, 1931, 426 § 37.
Sect. 10 amended, 1924, 129.
Sect. 12 amended, 1931, 374.
Sects. 21A–21D added, 1922, 392 (authorizing cities and towns to provide for licensing the sale of certain beverages).
Sect. 23 revised, 1921, 59.
Sect. 41 amended, 1930, 117.
Sect. 50A added, 1929, 187 (relative to the holding of religious meetings and political meetings or rallies in public ways and places); repealed, 1931, 173.
Sect. 57 amended, 1929, 238 § 2.
Sect. 58 revised, 1923, 30.
Sect. 66 revised, 1923, 218.
Sect. 69 amended, 1931, 426 § 245.
Sect. 94 revised, 1925, 143.
Sect. 120 repealed, 1930, 399 § 3.
Sect. 121 amended, 1922, 485 § 1; revised, 1927, 326 § 1.
Sect. 122 revised, 1922, 485 § 2.
Sect. 122A added, 1922, 485 § 3 (relative to the recording of licenses to sell, rent or lease firearms).
Sect. 123 revised, 1922, 485 § 4; 1925, 284 § 1; 1926, 395 § 1; 1927, 326 § 2.
Sect. 125 amended, 1922, 485 § 5.
Sect. 127 amended, 1922, 485 § 6.
Sect. 128 revised, 1925, 284 § 2; amended, 1926, 395 § 2.
Sect. 129 amended, 1925, 284 § 3.
Sect. 129A added, 1922, 485 § 7 (unnaturalized foreign-born persons restricted as to firearms).
Sect. 130 amended, 1922, 485 § 8; revised, 1927, 172.
Sect. 131 revised, 1922, 485 § 9; 1925, 284 § 4; amended, 1927, 326 § 3.
Sect. 131A added, 1926, 395 § 3 (providing for the issue of permits to purchase, etc., pistols or revolvers).
Sect. 131B added, 1926, 395 § 3 (prohibiting loans on pistols or revolvers); amended, 1927, 326 § 4.
Sect. 148 revised, 1925, 295 § 15.
Sect. 157 amended, 1924, 113.
Sect. 182 amended, 1926, 299 § 2.
Sect. 182A added, 1924, 497 § 1 (tickets to theatres and other places of public amusement to have price printed on face).

SECTS. 183A–183C added, 1926, 299 § 1 (requiring innholders, etc., conducting certain amusements in connection with their business to be licensed).

SECTS. 185A–185G added, 1924, 497 § 2 (regulating the sale and resale of tickets to theatres and other places of public amusement).

SECT. 197, first sentence amended, 1931, 394 § 148.

SECT. 202 amended, 1926, 28.

Chapter 141. — Supervision of Electricians.

SECT. 3, cl. (3) revised, 1921, 221 § 1; cl. (5) amended, 1921, 221 § 2.

Chapter 142. — Supervision of Plumbing.

SECT. 1 amended, 1925, 348 § 3.

SECT. 5 revised, 1925, 348 § 4; 1927, 154.

SECT. 6 revised, 1928, 76 § 1; sentence added at end, 1930, 397 § 1; same sentence revised, 1931, 193. (See 1930, 397 § 2.)

SECT. 7 amended, 1928, 76 § 2.

SECT. 11 amended, 1923, 194.

Chapter 143. — Inspection and Regulation of, and Licenses for, Buildings, Elevators and Cinematographs.

Boston building laws, 1907, 550; 1908, 336; 1909, 313; 1910, 284, 631; 1911, 342; 1912, 369, 370; 1913, 50, 577, 586, 704, 729; 1914, 119, 205, 248, 595, 628, 782, 786; 1915, Sp. Acts 254, 333, 346, 352; 1916, Sp. Acts 248, 277; 1917, Sp. Acts 221; 1918, Sp. Acts 104, 115, 179; 1919, Sp. Acts 155, 156, 163; 1920, 91, 266, 440, 455; 1921, 60, 289, 476; 1922, 61, 126, 174, 316; 1923, 108, 278, 462; 1924, 136, 335, 412, 414; 1925, 219; 1926, 182, 350; 1927, 42, 342; 1928, 137; 1930, 146; 1931, 250.

SECT. 72 amended, 1923, 478 § 1.

SECT. 85 revised, 1927, 82.

SECTS. 86–88 added, 1923, 478 § 2 (relative to the use in schools and for other purposes of moving picture apparatus adapted to standard width safety films).

Chapter 146. — Inspection of Boilers, Air Tanks, etc., Licenses of Engineers, Firemen, and Operators of Hoisting Machinery.

SECT. 22 amended, 1926, 291.

SECT. 28 repealed, 1924, 461.

SECT. 57 revised, 1927, 298.

SECT. 60 revised, 1927, 296 § 1.

SECT. 63 amended, 1927, 296 § 2.

Chapter 147. — State and Other Police, and Certain Powers and Duties of the Department of Public Safety.

SECT. 2 revised, 1921, 164; amended, 1925, 322 § 2; 1926, 199.

SECT. 4A added, 1931, 350 § 1 (providing for a bureau of criminal identification in the department of public safety). (See 1931, 350 § 2.)

SECT. 5 amended, 1928, 320; revised, 1930, 399 § 5.

SECTS. 6A–6D added, 1926, 225 (relative to the disposition of property recovered by the department of public safety).

SECT. 10 revised, 1924, 218.
SECT. 13A added, under caption "RESERVE POLICE FORCE IN TOWNS", 1930, 15 (providing by general law for the establishment of reserve police forces in certain towns).
SECTS. 16 and 17 affected, 1927, 304. (See 1929, 63.)
SECT. 16 amended, 1930, 58.
SECT. 36 revised, 1931, 437 § 1.
SECT. 38 revised, 1931, 437 § 2.
SECT. 43 amended, 1931, 437 § 3.
SECT. 46 amended, 1931, 426 § 246.

Chapter 148. — Fire Prevention.

Chapter repealed and new chapter 148 inserted, 1930, 399 § 1.
The following references are to the original chapter 148:
SECT. 2 revised, 1921, 485 § 1; amended, 1928, 277 § 1; 1929, 205 § 2.
SECT. 6 revised, 1928, 277 § 2; sentence added at end, 1929, 205 § 3.
SECT. 7A added, 1928, 277 § 3 (increasing the powers of state and local authorities as to fire prevention outside the metropolitan fire prevention district).
SECT. 10 revised, 1921, 273, 485 § 2.
SECT. 12 revised, 1921, 255; amended, 1924, 398.
SECT. 14 amended, 1921, 485 § 3; revised, 1924, 254; 1925, 335 § 1; 1928, 260 § 1, 325 § 1.
SECTS. 15–18 affected, 1921, 485 § 1.
SECT. 19 revised, 1921, 485 § 4.
SECT. 21 affected, 1921, 485 § 1.
SECT. 23 affected, 1921, 485 § 1.
SECT. 30 amended, 1928, 274; revised, 1929, 205 § 1.
SECT. 31 amended, 1921, 485 § 5.
SECT. 32 revised, 1928, 325 § 2.
SECT. 33 revised, 1928, 325 § 3.
SECT. 39, cls. H and I revised, 1928, 325 § 4; cls. N and O added, 1928, 325 § 5.
SECT. 40 revised, 1928, 325 § 6.
SECT. 54 amended, 1921, 104.
SECT. 57 amended, 1924, 80; 1925, 95.
SECTS. 57A–57G added, 1921, 500 (providing for the giving of bonds in connection with the manufacture, wholesale storage or public exhibition of fireworks).
SECT. 58 amended, 1928, 325 § 7.
SECT. 60 revised, 1925, 335 § 2.
SECT. 61 amended, 1925, 335 § 3.
SECT. 62 revised, 1921, 485 § 6.
SECT. 66 amended, 1921, 485 § 7.
The following references are to the new chapter 148, inserted by 1930, 399 § 1:
SECT. 3 revised, 1931, 383 § 1.
SECT. 8 amended, 1931, 383 § 2.
SECT. 30 revised, 1931, 162.

Chapter 149. — Labor and Industries.

Attendance officers, title changed to supervisors of attendance, 1928, 184.

SECT. 1, paragraph in lines 19–22 amended, 1925, 151; new paragraph inserted, 1931, 426 § 247.

SECT. 7 amended, 1921, 306 § 5.

SECT. 8 amended, 1921, 306 § 6.

SECT. 14, sentence added at end, 1930, 410 § 4.

SECT. 15 amended, 1921, 306 § 7.

SECT. 17 amended, 1921, 306 § 8.

SECT. 26 revised, 1931, 377.

SECT. 29 amended, 1929, 110.

SECT. 30 amended, 1923, 236.

SECT. 34 revised, 1924, 237.

SECT. 56 amended, 1921, 280.

SECT. 60 amended, 1921, 410 § 2.

SECT. 65 revised, 1921, 351 § 1, 410 § 3.

SECT. 69 amended, 1921, 410 § 1.

SECT. 70 revised, 1921, 410 § 4.

SECT. 77 amended, 1931, 394 § 149.

SECT. 78, last sentence amended, 1931, 394 § 150.

SECT. 79 revised, 1931, 394 § 151.

SECT. 82 amended, 1931, 394 § 152.

SECT. 83 amended, 1931, 394 § 153.

SECT. 86 amended, 1921, 351 § 2; first sentence amended, 1931, 394 § 154. (See 1922, 401.)

SECT. 88, second paragraph amended, 1925, 47.

SECT. 89. See 1922, 401.

SECT. 90 amended, 1931, 394 § 155.

SECT. 92, first sentence amended, 1931, 394 § 156.

SECT. 93 amended, 1931, 394 § 157.

SECT. 94 amended, 1921, 351 § 3; 1931, 394 § 158.

SECT. 95 amended, 1921, 341; revised, 1926, 188 § 3.

SECT. 117 revised, 1926, 159.

SECT. 120 revised, 1921, 50.

SECT. 141 amended, 1921, 53.

SECT. 148 amended, 1921, 51; 1923, 136; revised, 1924, 145; amended, 1925, 165; last sentence revised, 1929, 117.

SECT. 158A added, 1931, 304 (imposing a penalty for requiring or permitting women or children to work without monetary compensation in certain establishments).

SECT. 170 amended, 1931, 426 § 248.

SECT. 171 amended, 1931, 426 § 249.

SECT. 173 amended, 1931, 426 § 250.

SECT. 174 revised, 1927, 292 § 1; repealed, 1929, 357 § 2.

SECT. 177A added, 1922, 215 (prohibiting employers from exempting themselves from liability for certain injuries to employees).

SECT. 179A added, 1922, 517 (providing a preference to citizens in awarding contracts for public work).

Chapter 152. — Workmen's Compensation.

Special commission to investigate the operation of the workmen's compensation law, 1926, Resolve 36.

SECT. 1, cl. (6) revised, 1931, 426 § 251; cl. (7) revised, 1931, 426 § 252.

SECT. 3 repealed, 1921, 462 § 8.

SECT. 4 amended, 1921, 462 § 7.

SECT. 8A added, 1930, 320 § 1 (providing judicial relief in case of failure to claim a review within the time limited by the workmen's compensation law). (See 1930, 320 § 2.)

SECT. 9A added, 1929, 242 (relative to the fees of physicians appearing before the department of industrial accidents on behalf of injured employees in certain cases); amended, 1930, 330.

SECT. 10 amended, 1930, 208.

SECT. 12, paragraph added at end, 1929, 246.

SECT. 15 revised, 1929, 326 § 1.

SECT. 15A added, 1931, 143 (providing for the payment of compensation in certain cases in anticipation of the settlement of a controversy as to which of two or more insurers is liable to pay the same).

SECT. 20 amended, 1927, 309 § 1.

SECT. 24 amended, 1927, 309 § 2.

SECT. 26 amended, 1927, 309 § 3; sentence added at end, 1930, 205; same sentence amended, 1931, 170.

SECT. 29 amended, 1923, 163; 1924, 207; 1927, 309 § 4.

SECT. 30 amended, 1927, 309 § 5.

SECT. 31 revised, 1922, 402; 1927, 309 § 6; 1930, 293.

SECT. 32 amended, 1926, 190.

SECT. 33 amended, 1922, 368.

SECT. 34 amended, 1927, 309 § 7.

SECT. 35 amended, 1927, 309 § 8.

SECT. 36 revised, 1928, 356; paragraph (*k*) stricken out, and paragraphs (*k*) and (*k*½) inserted, 1930, 336.

SECT. 37 amended, 1931, 426 § 253.

SECT. 41 amended, 1929, 326 § 2.

SECT. 45 revised, 1921, 310.

SECT. 46 amended, 1927, 309 § 9.

SECT. 48 amended, 1927, 309 § 10; revised, 1930, 181.

SECT. 49 amended, 1923, 125.

SECT. 52 amended, 1925, 267 § 14; revised, 1927, 284 § 15, 309 § 11.

SECT. 54 repealed, 1923, 139 § 1.

SECT. 55 amended, 1923, 139 § 2.

SECT. 57 revised, 1930, 129 § 1.

SECTS. 59 and 60 stricken out, and new sections 59–60D inserted, 1930, 129 § 2.

SECTS. 69–75. See 1931, 378.

SECT. 69 revised, 1924, 434; amended, 1927, 309 § 12.

SECT. 74 amended, 1930, 159.

Chapter 154. — Assignment of Wages.

SECT. 3 revised, 1929, 159.

Chapter 155. — General Provisions relative to Corporations.

SECT. 3A added, 1924, 166 (requiring certain public service corporations to make certain deposits of funds in national banks and trust companies).

SECT. 5A added, 1921, 268 § 1 (relative to provision for depreciation by companies under the supervision of the department of public utilities).

SECT. 10 revised, 1926, 379 § 3; amended, 1929, 24 § 7; revised, 1931, 426 § 254.

SECT. 18 amended, 1925, 184 § 1.

SECT. 19 amended, 1925, 184 § 2.

SECT. 22 amended, 1923, 172.

SECT. 50 amended, 1928, 50.

SECT. 56 added, 1930, 45 (providing for the revival of certain corporations dissolved by statute).

Chapter 156. — Business Corporations.

SECT. 2 amended, 1923, 438 § 1; 1931, 426 § 255. (See 1923, 438 § 6.)

SECT. 3, last sentence revised, 1931, 426 § 256.

SECT. 11, last sentence amended, 1931, 394 § 163.

SECT. 16, third sentence amended, 1931, 394 § 164.

SECT. 17 amended, 1931, 394 § 165.

SECT. 28 revised, 1924, 91 § 1.

SECT. 30 amended, 1924, 91 § 2.

SECT. 33 revised, 1926, 129; 1929, 102, 375 § 1; last sentence amended, 1931, 394 § 166. (See 1929, 375 § 2.)

SECT. 36 revised, 1931, 313 § 1.

SECT. 41A added, 1930, 325 (relative to the changing by corporations of shares without par value into a greater number of similar shares).

SECT. 43, second sentence amended, 1931, 394 § 167.

SECT. 47, paragraph 6 and schedule stricken out, and new paragraph 6 inserted, 1931, 313 § 2.

SECT. 53 revised, 1928, 360 § 1; amended, 1931, 394 § 168.

SECT. 54 revised, 1928, 360 § 2.

Chapter 157. — Co-operative Corporations.

SECT. 3 amended, 1923, 438 § 2.

SECT. 4 revised, 1921, 297.

SECT. 7, last sentence amended, 1931, 394 § 169.

SECT. 8 amended, 1923, 438 § 3.

SECT. 9 amended, 1931, 394 § 170.

SECTS. 10–18 added, 1923, 438 § 4 (relative to the incorporation of agricultural and other co-operative corporations without capital stock).

SECT. 18 (inserted by 1923, 438 § 4), last sentence amended, 1931, 394 § 171.

Chapter 158. — Certain Miscellaneous Corporations.

SECT. 9, sentence in lines 12–16 amended, 1931, 394 § 172.

SECT. 37 amended, 1926, 26; 1931, 188 § 1; last two sentences amended, 1931, 394 § 173.

SECT. 39, sentence added at end, 1929, 97; section amended, 1931, 188 § 2.

Sect. 41 amended, 1931, 426 § 257. (See 1924, 44 § 1.)
Sect. 42. See 1924, 44 § 1.
Sect. 43, last paragraph revised, 1924, 44 § 3; section revised, 1931, 394 § 174.
Sects. 46–54. See 1922, 488 § 2.

Chapter 159. — Common Carriers.

Sect. 12, paragraph (*b*) revised, 1931, 408 § 5.
Sect. 42 repealed, 1922, 259 § 2.
Sect. 45 revised, 1925, 280 § 1; affected, 1925, 280 § 4; amended, 1926, 163; revised, 1926, 392 § 1; paragraph added at end, 1927, 276; repealed, 1931, 408 § 2.
Sect. 46 amended, 1925, 346 § 7; revised, 1926, 368 § 6, 392 § 2; 1927, 268 § 1; repealed, 1931, 408 § 2.
Sect. 47 amended, 1925, 176; revised, 1927, 268 § 2; repealed, 1931, 408 § 2.
Sect. 48 repealed, 1931, 408 § 2.
Sects. 48A and 48B added, 1925, 280 § 2 (further regulating operation of motor vehicles as common carriers of passengers); repealed, 1931, 408 § 2.
Sect. 49 revised, 1925, 280 § 3; repealed, 1931, 408 § 2.
Sect. 49A added, 1928, 115 (providing penalty for evasion of payment of fare on motor vehicles of common carriers of passengers); repealed, 1931, 408 § 2.
Sect. 56 amended, 1925, 195.
Sect. 59 amended, 1923, 351 § 1.
Sect. 61 amended, 1923, 351 § 2.
Sect. 62 amended, 1923, 351 § 3.
Sects. 65–82. See 1930, 417 § 14.
Sect. 65 revised, 1930, 417 § 1.
Sects. 66–69 repealed, 1930, 417 § 2.
Sect. 70 revised, 1930, 417 § 3.
Sect. 71 repealed, 1930, 417 § 2.
Sect. 72 revised, 1930, 417 § 4.
Sect. 73 revised, 1930, 417 § 5.
Sect. 74 revised, 1930, 417 § 6.
Sect. 75 revised, 1930, 417 § 7.
Sect. 77 revised, 1930, 417 § 8.
Sect. 78 revised, 1930, 417 § 9.
Sect. 79 revised, 1930, 417 § 10.
Sect. 80 revised, 1930, 417 § 11.
Sect. 81 repealed, 1930, 417 § 2.
Sect. 91 amended, 1931, 394 § 185.

Chapter 159A. — Common Carriers of Passengers by Motor Vehicle.

New chapter added by 1931, 408 § 1.

Chapter 160. — Railroads.

Sect. 70 amended, 1925, 125 § 2; revised, 1929, 76.
Sect. 70A added, 1925, 125 § 1 (relative to the operation by railroad corporations of motor vehicles); amended 1931, 408 § 3A.
Sect. 128 amended, 1922, 116.

SECT. 142 amended, 1926, 270.
SECT. 163 revised, 1930, 211 § 1.
SECT. 164 repealed, 1930, 211 § 2.
SECT. 198A added, 1925, 216 (relative to the sale of certain tickets issued by railroad corporations).
SECT. 232 amended, 1931, 135 § 1.

Chapter 161. — Street Railways.

Boston Elevated Railway Company, public operation of, 1918, Sp. Acts 159; 1919, Sp. Acts 244, 245, 250, 251; 1920, 613, 637; 1921, 108; 1925, Resolve 38; 1931, 333; formation of metropolitan transit district, 1929, 383.
Eastern Massachusetts Street Railway Company (formerly Bay State Street Railway Company), public operation of, 1918, Sp. Acts 188; 1919, Sp. Acts 247; 1920, 505; 1921, 223; 1928, 298.
Continued operation of the lines of the Berkshire Street Railway Company assured, 1921, 479. (See 1924, 293; 1927, 146; 1930, 217.)
SECT. 4, paragraph (*h*) amended, 1923, 491 § 1.
SECT. 7, first paragraph amended, 1924, 205.
SECT. 20A added, 1923, 491 § 3 (authorizing a change of the par value of shares of capital stock issued by street railway companies).
SECT. 44 amended, 1931, 408 § 4.
SECT. 50 amended, 1931, 394 § 103.
SECT. 81 revised, 1931, 394 § 104.
SECT. 82 amended, 1925, 236; revised, 1931, 394 § 105.
SECT. 85 revised, 1923, 482 § 3; 1931, 394 § 106.
SECT. 98 amended, 1922, 430.
SECT. 108 affected, 1927, 9 § 1; amended, 1928, 222.
SECT. 131 amended, 1931, 394 § 107.
SECT. 136, paragraph (*i*) amended, 1923, 491 § 2.
SECT. 145 amended, 1931, 426 § 258.
SECT. 161 added, 1923, 296 (authorizing cities and towns to contribute toward the cost of street railway service therein).

Chapter 164. — Manufacture and Sale of Gas and Electricity.

SECT. 6 amended, 1922, 354 § 1; 1923, 290 § 1; 1925, 184 § 3.
SECT. 8 revised, 1922, 354 § 2; amended, 1924, 44 § 1. (See 1924, 44 § 4.)
SECT. 9 amended, 1921, 269; 1925, 150; revised, 1925, 184 § 4.
SECT. 9A added, 1923, 290 § 2 (relative to the corporate purposes of certain electric companies).
SECT. 13 amended, 1922, 223; 1924, 173.
SECT. 14 revised, 1921, 230 § 1.
SECT. 16 amended, 1931, 426 § 259.
SECT. 17 revised, 1931, 426 § 260.
SECT. 18 amended, 1922, 226 § 1.
SECT. 19 amended, 1921, 246; 1922, 226 § 2; 1924, 172.
SECT. 22. See 1924, 44 § 4.
SECT. 33 revised, 1924, 44 § 2.
SECT. 42 revised, 1929, 379 § 1.
SECT. 43 revised, 1929, 379 § 2.
SECT. 44 repealed, 1929, 379 § 3.

SECT. 45 amended, 1929, 379 § 4.
SECT. 46 amended, 1929, 379 § 5.
SECT. 47 amended, 1929, 379 § 6.
SECTS. 48–50 repealed, 1929, 379 § 7.
SECT. 56 revised, 1929, 266.
SECT. 57 amended, 1931, 426 § 77.
SECT. 57A added, 1922, 184 (relative to appropriations for the maintenance of municipal light plants).
SECT. 58 stricken out, and new sections 58 and 58A inserted, 1927, 269.
SECT. 63 amended, 1923, 85; 1926, 99.
SECT. 68 amended, 1930, 369 § 1. (See 1930, 369 § 2.)
SECT. 70A added, 1925, 145 (authorizing the department of public utilities to approve connecting locations of gas mains).
SECT. 72 revised, 1924, 433; amended, 1925, 98; 1926, 256.
SECT. 72A added, 1927, 66 (providing for entry on private land by electric companies for the purpose of making surveys preliminary to eminent domain proceedings).
SECT. 73 revised, 1926, 257.
SECT. 75A added, 1931, 171 (requiring the installation of certain equipment in connection with gas meters to prevent or retard the escape of gas in case of fire).
SECT. 77 amended, 1921, 48.
SECT. 83 amended, 1931, 188 § 3.
SECT. 84 amended, 1923, 90.
SECT. 85 revised, 1930, 395.
SECT. 92 amended, 1925, 153.
SECT. 92A added, 1930, 383 (relative to the compulsory supply of gas and electricity in bulk).
SECT. 93 revised, 1927, 316 § 1.
SECT. 94 revised, 1927, 316 § 2.
SECT. 94A added, 1926, 298 (providing for approval by the department of public utilities of certain contracts of electric companies); revised, 1930, 342.
SECT. 94B added, 1930, 396 (subjecting to the approval of the department of public utilities certain contracts of gas and electric companies for services rendered).
SECT. 97 amended, 1924, 146.
SECT. 103 amended, 1928, 139 § 3.
SECT. 105 amended, 1928, 139 § 4.
SECT. 107 amended, 1925, 234.
SECT. 108 amended, 1928, 139 § 5.
SECT. 114 amended, 1928, 139 § 6.
SECT. 116 amended, 1923, 162.
SECT. 119 amended, 1921, 404.
SECT. 125A added, 1928, 265 (relative to the supply of gas and electricity to cities and towns in certain cases).

Chapter 166. — Telephone and Telegraph Companies, and Lines for the Transmission of Electricity.

SECT. 4 revised, 1921, 230 § 2.
SECT. 21 amended, 1927, 106 § 2.
SECT. 22, second and third paragraphs amended, 1925, 166.
SECT. 34 revised, 1926, 252.

Chapter 167. — Banks and Banking.

SECT. 2 revised, 1922, 363 § 1; amended, 1923, 406 § 1.
SECT. 8 revised, 1922, 367.
SECT. 9 amended, 1922, 104.
SECT. 12 amended, 1921, 78 § 1; 1922, 114.
SECT. 13 amended, 1921, 78 § 2.
SECT. 15 amended, 1921, 153; repealed, 1923, 40 § 2.
SECT. 17 revised, 1924, 255.
SECT. 21 repealed, 1922, 411.
SECTS. 22–35. See 1922, 291.
SECT. 22, second paragraph revised, 1930, 329 § 2.
SECT. 24 amended, 1922, 488 § 1.
SECT. 31 amended, 1921, 471; 1931, 12.
SECT. 35 revised, 1925, 240.
SECT. 37. See 1922, 114.
SECT. 45A added, 1928, 128 § 1 (authorizing certain foreign banking associations and corporations to act as fiduciaries); amended, 1929, 243.
SECTS. 46 and 47 added, 1922, 312 (fixing responsibility and providing additional penalties for violation of laws relative to banks).

Chapter 168. — Savings Banks.

SECT. 10, fourth paragraph, last sentence amended, 1931, 394 § 175.
SECT. 14 amended, 1922, 258 § 1.
SECT. 14A added, 1922, 258 § 2 (providing for the election of trustees of savings banks in groups).
SECT. 23 amended, 1931, 426 § 261.
SECT. 24 revised, 1922, 265 § 1; amended, 1925, 16 § 1.
SECT. 31 amended, 1924, 67 § 1; 1927, 109 § 1; 1928, 60; revised, 1928, 156 § 2.
SECT. 31A added, 1923, 40 § 1 (limiting the restriction on joint accounts in banks to those in savings banks); amended, 1924, 67 § 2; 1927, 109 § 2.
SECT. 32A added, 1921, 79 (authorizing savings banks to establish and maintain safe deposit vaults).
SECT. 33A added, 1923, 37 (permitting savings banks to transmit money to another state or country); amended, 1926, 162.
SECT. 43 amended, 1923, 362 § 87; revised, 1931, 426 § 262.
SECT. 51 amended, 1921, 292 § 1; revised, 1922, 468 § 1.
SECT. 51A added, 1922, 468 § 2 (requiring savings banks to make loans to depositors on deposit books).
SECT. 54, cl. Second, subdivision (*a*) revised, 1925, 209 § 1; subdivision (*e*) revised, 1925, 209 § 2; subdivision (*f*) revised, 1925, 209 § 3; cl. Third, subdivision (*e*), paragraph in lines 148 and 149, as printed in the General Laws, amended, 1931, 346 § 1; subdivision (*f*), paragraph in lines 212–216, as so printed, stricken out, 1931, 346 § 2; subdivision (*g*), paragraph (3), paragraph in lines 258–264, as so printed, stricken out, 1931, 346 § 3; subdivision (*g*), paragraph (4), paragraphs in lines 275–279, as so printed, stricken out, 1931, 346 § 4; subdivision (*j*), paragraph in lines 304–311, as so printed, amended, 1931, 346 § 5; subdivision (*m*), paragraph in lines 336–352, as so printed, amended, 1931, 346 § 6; subdivision (*o*), appearing in lines 358–406, as so printed, re-

pealed, 1931, 346 § 7; subdivision (*p*) added, 1926, 283; cl. Fifth, first paragraph revised, 1925, 208; last paragraph amended, 1928, 42; cl. Sixth amended, 1921, 229; 1922, 159 § 1; cl. Sixth A added, 1926, 351 § 1 (authorizing investment by savings banks in securities of certain additional public service companies); preliminary paragraph amended, 1931, 345 § 1; paragraph (1) amended, 1931, 345 § 2; paragraph (6), subdivision (*b*) amended, 1931, 345 § 3; paragraph (6), subdivision (*c*) amended, 1931, 345 § 4; cl. Seventh, first paragraph revised, 1929, 315 § 1; 1930, 140; (see 1929, 315 § 2); cl. Ninth, subdivision (*c*) amended, 1922, 159 § 2; 1926, 351 § 2; subdivision (*e*), paragraph (3) amended, 1922, 159 § 3; 1924, 68; cl. Fifteenth revised, 1926, 351 § 3; amended, 1928, 27. (See 1927, 102, relative to loans by savings banks and savings departments of trust companies secured by adjusted service certificates.)

Sect. 55 added, 1930, 329 § 1 (relative to the liquidation, consolidation or merger of savings banks).

Chapter 169. — Deposits with Others Than Banks.

Sect. 1 revised, 1923, 473 § 1; 1929, 182 § 1.

Sect. 2 revised, 1923, 473 § 2; 1929, 182 § 2; amended, 1931, 426 § 265.

Sect. 3 revised, 1923, 473 § 3; 1929, 182 § 3.

Sect. 4 amended, 1931, 426 § 266.

Sect. 10 revised, 1929, 182 § 4.

Sect. 12 revised, 1923, 473 § 4; repealed, 1929, 182 § 5.

Sect. 13 repealed, 1929, 182 § 5.

Sect. 15A added, 1923, 473 § 5 (regulating the dealing in foreign exchange by foreign bankers, so called); repealed, 1929, 182 § 5.

Sect. 16 revised, 1923, 473 § 6; 1929, 182 § 6.

Sect. 18 revised, 1923, 473 § 7; 1929, 182 § 7.

Chapter 170. — Co-operative Banks.

Sect. 5, fourth paragraph, last sentence amended, 1931, 394 § 176.

Sect. 7 amended, 1923, 100; 1926, 150 § 1.

Sect. 9 amended, 1925, 16 § 2; 1930, 49.

Sect. 10 revised, 1926, 150 § 2.

Sect. 12 amended, 1921, 242; 1924, 223 § 1.

Sect. 15A added, 1924, 223 § 2 (limiting the issuance and holding of shares in co-operative banks).

Sect. 18 amended, 1931, 426 § 267.

Sect. 19 amended, 1922, 208.

Sect. 25 amended, 1931, 332 § 1.

Sect. 26 revised, 1931, 332 § 2.

Sect. 27 amended, 1921, 211.

Sect. 31 amended, 1921, 158; 1922, 212; 1923, 21.

Sect. 33 revised, 1931, 365 § 1. (See 1931, 365 § 4.)

Sect. 34 revised, 1931, 365 § 2. (See 1931, 365 § 4.)

Sect. 35 repealed, 1931, 365 § 3.

Sect. 40A added, 1931, 146 § 1 (relative to reserves of co-operative banks); affected, 1931, 146 § 2.

Sect. 41 amended, 1921, 157 § 1.

Sect. 42 amended, 1921, 157 § 2.

SECT. 44 amended, 1928, 44.
SECT. 47 amended, 1922, 256; revised, 1928, 292.
SECT. 48 amended, 1931, 426 § 268.
SECT. 49, first two sentences stricken out, 1931, 426 § 269.

Chapter 171. — Credit Unions.

Chapter 171 stricken out, and new chapter 171, inserted by 1926, 273 § 1.

The following references are to the original chapter 171:

SECT. 2 amended, 1922, 147 § 1; 1923, 38.
SECT. 4A added, 1923, 294 § 1 (permitting domestic corporations, voluntary associations and partnerships to become limited members of credit unions).
SECT. 5 amended, 1923, 294 § 2.
SECT. 6 amended, 1923, 294 § 3.
SECT. 13 amended, 1922, 147 § 2.
SECT. 14 amended, 1922, 147 § 3.
SECT. 15, first paragraph amended, 1922, 147 § 4.
SECT. 16A added, 1923, 143 § 1 (providing for a reserve fund for credit unions).
SECT. 17 amended, 1922, 147 § 5; 1923, 294 § 4.
SECT. 23 amended, 1923, 54, 143 § 2.
SECT. 27 revised, 1923, 55.

The following references are to the new chapter 171, inserted by 1926, 273 § 1:

SECT. 3, paragraph added at end, 1930, 180; first paragraph amended, 1931, 394 § 177.
SECT. 18 amended, 1930, 100.

Chapter 172. — Trust Companies.

SECT. 4 amended, 1923, 41. (See 1923, 121.)
SECT. 5 amended, 1922, 263 § 1.
SECT. 10, paragraph in lines 9–21, last sentence amended, 1922, 263 § 2; same sentence revised, 1931, 394 § 178.
SECT. 11 revised, 1922, 293.
SECT. 13 amended, 1922, 265 § 2.
SECT. 14 amended, 1921, 352; revised, 1929, 201 § 2.
SECT. 16 amended, 1928, 262.
SECT. 18 revised, 1926, 239; 1929, 201 § 1.
SECTS. 20–22 repealed, 1923, 406 § 2.
SECT. 23 repealed, 1922, 363 § 2.
SECT. 24 revised, 1922, 488 § 2.
SECT. 25 amended, 1922, 488 § 3.
SECT. 26 amended, 1924, 162.
SECTS. 28–30 repealed, 1923, 406 § 2.
SECT. 30A added, 1922, 310 (subjecting interdepartment transfers of assets by trust companies to the supervision of the commissioner of banks).
SECT. 31, sentence added at end, 1931, 426 § 263.
SECT. 33 amended, 1929, 120.
SECT. 39 amended, 1922, 264.
SECT. 40 amended, 1921, 194.

Sect. 41 revised, 1922, 321; 1929, 116.
Sect. 44 amended, 1922, 292; 1931, 11.
Sect. 45 revised, 1928, 285.
Sect. 46 revised, 1922, 396.
Sect. 50 revised, 1931, 426 § 264.
Sect. 51 amended, 1931, 426 § 270.
Sect. 52 amended, 1928, 128 § 2.
Sect. 65 amended, 1922, 365.
Sect. 66 amended, 1921, 292 § 2; revised, 1922, 468 § 3.
Sect. 66A added, 1922, 468 § 4 (requiring savings departments of trust companies to make loans to depositors on deposit books).
Sect. 73 amended, 1922, 294.
Sect. 74 revised, 1930, 27.
Sect. 76 amended, 1922, 291.
Sect. 80 revised, 1922, 394.

Chapter 174. — Bond and Investment Companies.

Sect. 11 revised, 1931, 426 § 78.

Chapter 175. — Insurance.

Sect. 1, eleventh paragraph amended, 1921, 165 § 1; same paragraph amended, 1931, 242 § 2.
Sect. 2A added, 1921, 277 § 1 (relative to contracts of reinsurance).
Sect. 3 amended, 1924, 406 § 1; 1929, 24 § 2; 1931, 426 § 272.
Sect. 3A added, 1924, 406 § 2 (relative to administration of certain insurance laws by commissioner of insurance); amended, 1929, 24 § 3.
Sect. 4, second paragraph amended, 1926, 156; new paragraph added, 1928, 133 § 1; two new paragraphs added, 1930, 79 § 1.
Sect. 5 revised, 1927, 284 § 2.
Sect. 6 amended, 1925, 154 § 3, 267 § 1; last sentence revised, 1926, 114 § 2; section revised, 1927, 284 § 3; paragraph added at end, 1928, 171 § 2; paragraph added by 1928, 171 § 2 amended, 1931, 426 § 79.
Sect. 7 repealed, 1925, 154 § 6.
Sect. 8 repealed, 1924, 406 § 17.
Sect. 8A added, 1923, 197 (extending the authority of the commissioner of insurance relative to hearings).
Sect. 9 amended, 1921, 213.
Sect. 10 revised, 1924, 406 § 3.
Sect. 11, first paragraph amended, 1927, 284 § 4; same paragraph amended, 1931, 242 § 3.
Sect. 13 repealed, 1923, 39 § 3.
Sect. 14 amended, 1921, 166; revised, 1924, 450 § 1; 1925, 124 § 1; amended, 1926, 174 § 1.
Sect. 16 amended, 1924, 450 § 2.
Sect. 18, first paragraph amended, 1924, 285 § 2; revised, 1925, 164 § 2; 1928, 80 § 2.
Sect. 19 repealed, 1931, 426 § 273.
Sect. 19A added, 1921, 172 (relative to the merger of insurance companies); revised, 1923, 192.
Sect. 20 amended, 1921, 277 § 2; second paragraph amended, 1926, 74.
Sect. 22 amended, 1924, 406 § 18.

SECT. 22A added, 1928, 106 § 4 (relative to the form of policies covering more than one class of insurance.)

SECT. 22B added, 1928, 205 § 1 (waivers of provisions of chapter 175 prohibited unless expressly authorized thereby).

SECT. 23 revised, 1925, 154 § 1.

SECT. 23A added, 1925, 154 § 2 (requiring certain insurance companies to notify the commissioner of insurance in certain cases); revised, 1925, 267 § 2; 1926, 5; 1927, 284 § 5; first paragraph amended, 1928, 169 § 1; same paragraph amended, 1931, 242 § 4.

SECT. 24 revised, 1929, 235.

SECT. 25, Form A, Item 32 (*b*) revised, 1921, 165 § 2; first paragraph amended, 1923, 86; Forms B and C, heading and following paragraph stricken out, and new heading and following paragraph inserted, 1929, 24 § 4.

SECT. 26 amended, 1924, 406 § 4.

SECT. 28 revised, 1928, 133 § 2.

SECT. 29 amended, 1929, 24 § 5.

SECT. 31A added, 1923, 373 (extending the territory within which insurance business may be transacted by domestic insurance companies otherwise restricted by their charters).

SECT. 32 revised, 1921, 190; 1930, 136 § 2.

SECT. 36 revised, 1931, 290.

SECT. 37 amended, 1921, 144.

SECTS. 38–43 repealed, 1923, 120.

SECT. 46 revised, 1928, 171 § 1.

SECT. 46A added, 1922, 407 (giving preference to certain claims against insolvent domestic liability insurance companies); revised, 1928, 171 § 3.

SECT. 46B added, 1923, 118 § 2 (requiring domestic insurance companies to file copies of their by-laws and amendments with the commissioner of insurance).

SECT. 47, cls. First and Eighth revised, 1927, 49; cl. Second amended, 1921, 198; 1927, 53 § 1; cls. Fourth and Sixth affected, 1925, 345; cl. Sixth revised, 1927, 284 § 6; cl. Fourteenth added, 1921, 215 § 1 (authorizing writing of insurance in foreign countries); cl. Fifteenth added, 1921, 277 § 3 (relating to reinsurance); section amended, 1925, 267 § 3; section revised, 1928, 106 § 1; cl. Second, subdivision (*d*) revised, 1931, 109; subdivision (*e*) revised, 1931, 91 § 1; subdivision (*f*) amended, 1931, 121 § 1; cl. Third revised, 1931, 91 § 2; cl. Sixth amended, 1931, 121 § 2; cl. Ninth amended, 1931, 121 § 3; cl. Sixteenth added, 1930, 136 § 1 (providing for incorporation of life insurance companies under general law).

SECT. 48 amended, 1921, 215 § 2, 277 § 4; 1923, 39 § 1; 1924, 406 § 5; cl. in lines 25–29 amended, 1926, 114 § 1; first paragraph revised, and paragraph added at end, 1930, 136 § 3.

SECT. 48A added, 1924, 406 § 6 (relative to the organization of mutual insurance companies); section revised, 1925, 267 § 4; 1927, 284 § 7; cl. (*b*) revised, 1928, 225 § 1; section revised, 1930, 136 § 4.

SECT. 49, second paragraph amended, 1921, 277 § 5; section revised, 1924, 406 § 7; last sentence stricken out, and new paragraph added, 1924, 450 § 3; second paragraph stricken out, and two new paragraphs inserted, 1930, 136 § 5.

SECT. 50 revised, 1924, 253; amended, 1924, 450 § 4.

SECT. 51, cl. (*a*) amended, 1923, 39 § 2; 1927, 53 § 2; revised, 1928, 106 § 2; cl. (*d*) revised, 1930, 136 § 6; cl. (*g*) revised, 1924, 298 § 1; amended, 1924, 450 § 5; paragraph added at end, 1928, 106 § 2.

SECT. 52 repealed, 1928, 106 § 5.

SECT. 53 repealed, 1922, 76.

SECT. 54, cl. (*b*) revised, 1923, 153; cl. (*g*) revised, 1924, 298 § 2; amended, 1924, 450 § 6; first paragraph and cls. (*a*)–(*f*) stricken out, and new first paragraph and cls. (*a*)–(*e*) inserted, 1925, 267 § 5; cl. (*a*) revised, 1928, 225 § 2; cls. (*c*) and (*e*) revised, 1927, 284 § 8; paragraph added at end, 1928, 106 § 3; cl. (*e*) amended, 1931, 242 § 5.

SECT. 55. See 1921, 486 § 30.

SECT. 56 amended, 1924, 450 § 7; revised, 1929, 24 § 6; amended, 1931, 426 § 274.

SECT. 60, last paragraph revised, 1926, 14 § 1. (See 1922, 77.)

SECT. 61 amended, 1928, 185.

SECT. 63, cl. 7 (*a*) added, 1921, 215 § 3; section revised, 1923, 297 § 1; first paragraph amended, 1930, 136 § 9.

SECT. 65 amended, 1923, 297 § 2.

SECT. 66 revised, 1923, 297 § 3; 1931, 286.

SECT. 70 amended, 1924, 450 § 8.

SECT. 71 amended, 1924, 450 § 9; revised, 1927, 248.

SECT. 73 amended, 1926, 53 § 1; revised, 1927, 284 § 9.

SECT. 76, paragraph in lines 9–11 revised, 1929, 156.

SECT. 80, first paragraph amended, 1921, 160; revised, 1929, 34 § 1; amended, 1931, 62; second paragraph revised, 1926, 115.

SECT. 81 affected, 1921, 372; amended, 1927, 284 § 10.

SECT. 90 revised, 1925, 154 § 4, 267 § 6; 1927, 284 § 11; first paragraph amended, 1929, 34 § 3.

SECTS. 90A and 90B added, 1925, 267 § 7 (regulating issue of policies by certain mutual insurance companies).

SECT. 90A (inserted by 1925, 267 § 7) amended, 1926, 53 § 2.

SECT. 90C added, 1931, 242 § 1 (authorizing certain domestic mutual insurance companies to create a guaranty fund from their net cash assets, in lieu of establishing a guaranty capital).

SECT. 91 repealed, 1924, 406 § 17.

SECT. 92 amended, 1925, 154 § 5, 267 § 8.

SECT. 93 amended, 1921, 486 § 30; 1925, 267 § 9; revised, 1927, 284 § 1.

SECTS. 93A–93D added, 1925, 267 § 10 (regulating the transaction of business by certain mutual insurance companies).

SECT. 93B (inserted by 1925, 267 § 10) revised, 1926, 53 § 3.

SECT. 93D (inserted by 1925, 267 § 10) revised, 1927, 284 § 12; amended, 1931, 242 § 6.

SECT. 93E added, 1930, 136 § 7 (regulating the issuance of policies by domestic mutual life insurance companies).

SECT. 94 amended, 1922, 77; revised, 1930, 136 § 8.

SECT. 99, cl. First revised, 1923, 137; first paragraph amended, 1924, 285 § 3.

SECT. 100 amended, 1923, 152, 198 § 1; revised, 1924, 406 § 8; section stricken out, and new sections 100–100B inserted, 1927, 285 § 1.

SECT. 101 revised, 1927, 285 § 2.

SECTS. 101A–101G added, 1927, 285 § 3 (relative to reference proceedings under the standard fire policy). (See 1927, 285 §§ 1, 2.)

SECTS. 102A and 102B added, 1924, 285 § 1 (relative to the issuance by fire insurance companies of a single policy of insurance on which they are severally liable).

SECT. 103 repealed, 1923, 336 § 2.

SECT. 105, last two paragraphs stricken out, and new paragraph inserted, 1924, 406 § 9; 1925, 267 § 11; affected, 1925, 345. (See 1924, 406 § 19, inserting in chapter 205, as section 19A, one paragraph stricken out by 1924, 406 § 9.)

SECT. 110 amended, 1921, 136; revised, 1930, 64.

SECTS. 111A and 111B added, 1925, 164 § 1 (permitting certain insurance companies to issue a single policy of liability insurance on which they are severally or jointly and severally liable).

SECT. 111A (inserted by 1925, 164 § 1), provisions (3) and (4) revised, 1928, 80 § 3.

SECT. 112 revised, 1923, 149 § 1; 1930, 340 § 3.

SECT. 113 revised, 1923, 149 § 2.

SECTS. 113A–113D added, 1925, 346 § 4 (relative to the form of compulsory motor vehicle liability policies and bonds, so called, to premium charges and classifications in connection therewith, and to proceedings to enable owners of certain motor vehicles to compel the issue or execution thereof).

SECT. 113A (inserted by 1925, 346 § 4), provision (2) revised, 1926, 368 § 4; new paragraph added, 1926, 368 § 5; provision (4) amended, 1928, 187 § 2; section revised, 1928, 381 § 5.

SECT. 113B (inserted by 1925, 346 § 4) revised, 1927, 182; 1928, 381 § 6; paragraph added at end, 1929, 34 § 2; section revised, 1929, 166; new paragraph added, 1930, 343. (See 1928, 381 § 11.)

SECT. 113D (inserted by 1925, 346 § 4) revised, 1928, 381 § 7.

SECT. 114 revised, 1924, 406 § 10; 1925, 73; 1928, 157.

SECT. 115 repealed, 1924, 406 § 17.

SECT. 116, last paragraph revised, 1926, 114 § 3.

SECT. 116A added, 1928, 168 (relative to the rights and obligations of foreign title insurance companies admitted to transact business in Massachusetts); revised, 1930, 83.

SECT. 117A added, 1928, 80 § 1 (authorizing two or more fire insurance companies to join in the issue of a single sprinkler leakage insurance policy).

SECT. 118 amended, 1921, 167.

SECT. 119A added, 1921, 168 (to protect persons entitled to the proceeds of life insurance and annuity policies, and the income therefrom, when retained by life insurance companies); amended, 1931, 64.

SECT. 123 revised, 1924, 268; amended, 1925, 100; revised, 1925, 197 § 1; last paragraph amended, 1927, 93 § 1.

SECT. 125 revised, 1928, 176 § 1.

SECT. 126 amended, 1928, 176 § 2.

SECT. 130 revised, 1931, 426 § 275.

SECT. 132, first paragraph revised, 1925, 197 § 2; amended, 1927, 93 § 2; provision 2 revised, 1922, 75; amended, 1923, 195; provision 7 amended, 1924, 75 § 1; 1927, 65 § 1; provision 11 amended, 1924, 75 § 2; 1927, 65 § 2.

SECT. 133 amended, 1921, 141; revised, 1928, 244 § 1; 1929, 121.

SECT. 134, paragraph added at end, 1928, 244 § 2.

SECT. 139 revised, 1926, 93 § 1.

SECT. 140 amended, 1928, 147.
SECT. 142 amended, 1924, 75 § 3; 1927, 65 § 3.
SECT. 144, last paragraph amended, 1925, 197 § 3; 1927, 93 § 3.
SECT. 147A added, 1928, 148 § 1 (relative to the contents of industrial life and endowment policies issued by domestic life companies).
SECT. 148 repealed (except as to existing policies), 1928, 148 § 2.
SECT. 149, paragraph added at end, 1928, 182.
SECT. 150 amended, 1921, 372; second paragraph stricken out, 1927, 284 § 13.
SECT. 151 revised, 1925, 267 § 12; cls. Second and Fifth amended, 1926, 44 § 1; revised, 1927, 284 § 14; cl. Second, subdivision (3) (*e*) stricken out and new subdivisions (3) (*e*) and (3) (*f*) added, 1928, 225 § 3.
SECT. 152 amended, 1924, 406 § 11; revised, 1925, 267 § 13; last sentence stricken out, 1928, 106 § 6.
SECT. 153 revised, 1926, 44 § 2.
SECT. 154 amended, 1924, 406 § 12; revised, 1925, 124 § 2.
SECT. 156 amended, 1922, 81.
SECT. 156A added, 1928, 169 § 2 (requiring certain foreign insurance companies to cease transacting business in certain cases).
SECT. 159 amended, 1922, 417 § 2.
SECT. 161 repealed, 1929, 6 § 1.
SECT. 163 amended, 1924, 450 § 10; 1926, 231; 1928, 315.
SECT. 166 amended, 1924, 450 § 11; 1925, 124 § 3; 1926, 174 § 2.
SECT. 167A added, 1924, 450 § 12 (exempting certain veterans from payment of fees for certain licenses); revised, 1929, 232.
SECT. 168 amended, 1924, 450 § 13; 1926, 64; revised, 1927, 29.
SECT. 172 amended, 1924, 450 § 14.
SECT. 172A added, 1923, 354 (authorizing the commissioner of insurance to license voluntary associations as insurance agents, brokers and adjusters); amended, 1924, 450 § 15.
SECT. 173 amended, 1924, 450 § 16.
SECT. 174 amended, 1924, 406 § 13; revised, 1924, 450 § 17; 1926, 70 § 1; affected, 1926, 70 § 2.
SECT. 174A added, 1922, 69 (relative to notices of hearings before the commissioner of insurance and of the revocation or suspension of licenses).
SECT. 174B added, 1923, 116 (requiring insurance agents, brokers and adjusters to surrender their licenses upon revocation).
SECT. 177 revised, 1928, 205 § 2.
SECT. 178 amended, 1923, 362 § 88; 1924, 406 § 14.
SECT. 180 amended, 1924, 406 § 15.
SECT. 180A added, 1924, 49 (requiring receivers of domestic insurance companies to give notice of their appointment to policy holders).
SECT. 182 amended, 1925, 346 § 5; 1928, 381 § 8.
SECT. 183 amended, 1925, 346 § 6; 1928, 381 § 9.
SECT. 184 amended, 1926, 93 § 2; 1930, 18.
SECT. 187 amended, 1925, 54.
SECT. 187A added, 1922, 408 (relative to the limitation of actions on policies of insurance).
SECTS. 187B–187D added, 1923, 336 § 1 (relative to the cancellation of insurance policies).
SECT. 189 amended, 1924, 406 § 16.

SECT. 190 repealed, 1924, 406 § 17.
SECT. 192 amended, 1924, 285 § 4.
SECT. 193A added, 1922, 417 § 1 (relative to the enforcement of the insurance laws).

Chapter 176. — Fraternal Benefit Societies.

Administration of certain insurance laws by commissioner of insurance, see 1924, 406 § 2 (inserting § 3A in chapter 175).
SECT. 9, first paragraph amended, 1931, 394 § 179.
SECT. 11, third sentence amended, 1931, 394 § 180.
SECT. 16 amended, 1926, 207.
SECT. 17 revised, 1926, 206; 1928, 186.
SECT. 18 revised, 1928, 156 § 1.
SECT. 23 revised, 1927, 21.
SECT. 24 amended, 1928, 179.
SECT. 36 revised, 1930, 31 § 1.
SECT. 37, paragraph added at end, 1930, 79 § 2.
SECT. 39A added, 1921, 295 (relative to the valuation of securities held by fraternal benefit societies).
SECT. 40 amended, 1927, 189.
SECT. 41 amended, 1930, 31 § 2.
SECT. 43 revised, 1930, 31 § 3.
SECT. 44, last paragraph stricken out, 1930, 31 § 4.
SECT. 45 amended, 1922, 90; revised, 1925, 80 § 2; amended, 1926, 77.
SECT. 46 revised, 1921, 155 § 1; amended, 1922, 494; revised, 1925, 80 § 3; amended, 1928, 284; first paragraph amended, 1929, 142; third paragraph amended, 1929, 7; section amended, 1931, 426 § 80.
SECT. 46A added, 1921, 155 § 2 (relative to the payment of disability benefits by subordinate lodges); amended, 1931, 426 § 81.
SECT. 47 revised, 1925, 80 § 4.
SECT. 47A added, 1925, 80 § 1 (relative to the validity of certain contracts and certificates of fraternal benefit societies).
SECT. 49 revised, 1925, 80 § 5.

Chapter 177. — Assessment Insurance.

Administration of certain insurance laws by commissioner of insurance, see 1924, 406 § 2 (inserting § 3A in chapter 175).
SECT. 13 amended, 1924, 384.
SECT. 15 repealed, 1924, 406 § 17.
Chapter repealed, 1929, 24 § 1.

Chapter 178. — Savings Bank Life Insurance.

SECT. 10 revised, 1929, 37.
SECT. 11 amended, 1922, 79 § 1.
SECT. 12 amended, 1927, 92.
SECT. 17 revised, 1927, 188; 1929, 162.
SECT. 21 revised, 1921, 416; amended, 1922, 79 § 2.
SECT. 28, paragraph added at end, 1930, 79 § 3.
SECT. 29 amended, 1931, 130.

Chapter 179. — Proprietors of Wharves, Real Estate lying in Common, and General Fields.

Sect. 3, last sentence amended, 1931, 394 § 181.

Chapter 180. — Corporations for Charitable and Certain Other Purposes.

Sect. 3 amended, 1925, 226.
Sect. 4 revised, 1927, 133 § 1.
Sect. 5 revised, 1926, 379 § 1.
Sect. 9 revised, 1930, 38.
Sect. 9A added, 1926, 204 (providing for the maintenance of burial grounds by religious corporations).
Sect. 11 amended, 1926, 379 § 2.
Sect. 12 amended, 1930, 170 § 1.
Sect. 12A added, 1930, 170 § 2 (requiring the registration of foreign charitable corporations before acting in the commonwealth, and relative to reports by such corporations).
Sect. 20 amended, 1923, 252 § 1.
Sect. 23 amended, 1923, 252 § 2.
Sect. 26 revised, 1926, 247.
Sect. 27 revised, 1926, 108 § 1.
Sect. 29 added, 1926, 347 (enabling cities and towns to regulate certain diversions and amusements conducted by corporations created for club purposes).

Chapter 181. — Foreign Corporations.

Sect. 1 amended, 1921, 486 § 31.
Sect. 3 amended, 1926, 258.
Sect. 3A added, 1928, 98 § 1 (relative to the service of process on unregistered foreign corporations).
Sect. 6 amended, 1923, 28; 1931, 426 § 82.
Sect. 10. See 1923, 290 § 4.
Sect. 11 amended, 1931, 426 § 276.
Sect. 12 amended, 1931, 426 § 277.
Sect. 23 amended, 1926, 189.

Chapter 182. — Voluntary Associations.

Sect. 1 amended, 1926, 290 § 1; revised, 1931, 426 § 278.
Sect. 2 revised, 1922, 272; amended, 1926, 290 § 2.
Sect. 2A added, 1929, 45 (regulating the use of names by certain associations and trusts).
Sect. 3 amended, 1926, 290 § 3.
Sect. 4 amended, 1926, 290 § 4.
Sect. 5 repealed, 1924, 190 § 1.
Sect. 6 amended, 1926, 290 § 5; paragraph added at end, 1929, 107 § 2.
Sect. 7 amended, 1926, 290 § 6.

Chapter 183. — Alienation of Land.

SECT. 5A added, 1924, 227 (recording of certain affidavits relative to the title of land).
SECT. 21 amended, 1927, 104 § 1.
SECT. 24 amended, 1927, 104 § 2.
SECT. 30, clause (*a*) amended, 1931, 394 § 186.
SECT. 49 amended, 1923, 71.
SECT. 52 amended, 1923, 96.

Chapter 184. — General Provisions Relative to Real Property.

SECT. 13 amended, 1929, 261.

Chapter 185. — The Land Court and Registration of Title to Land.

SECT. 1 amended, 1931, 387 § 1; paragraph (*a*) revised, 1931, 457 § 1.
SECT. 2 revised, 1924, 271 § 1; amended, 1931, 419 § 1.
SECT. 2A added, 1931, 419 § 2 (providing for a voluntary plan of part time service and measured compensation for certain associate judges of the land court after fifteen years of service).
SECT. 5 amended, 1924, 271 § 2.
SECT. 6, sentence added at end, 1930, 418 § 1; section amended, 1931, 246.
SECT. 8 amended, 1930, 418 § 2.
SECT. 10 amended, 1923, 374 § 1.
SECT. 10A added, 1930, 418 § 3 (relative to technical assistants).
SECT. 12 revised, 1923, 374 § 2.
SECT. 13A added, 1924, 157 (relative to the appointment and compensation of stenographers for certain trials in the land court).
SECT. 14 amended, 1921, 486 § 32; revised, 1923, 385; amended, 1924, 271 § 3; 1930, 404; revised, 1930, 418 § 4; first sentence amended, 1931, 419 § 3. (See 1930, 400 §§ 5, 7–9.)
SECTS. 20 and 25 stricken out, and new section 25 inserted, 1931, 387 § 2.
SECT 26A added, 1931, 457 § 2 (providing for petitions for the confirmation of title without registration).
SECT. 38, form of notice revised, 1928, 129 § 1.
SECT. 45 amended, 1923, 374 § 3.
SECT. 46, cl. Fifth amended, 1924, 31.
SECT. 48 amended, 1928, 272 § 1.
SECT. 53 amended, 1921, 117.
SECT. 56A added, 1931, 457 § 3 (relative to the procedure on petitions for confirmation of title without registration and the effect of decrees issued pursuant thereto).
SECT. 68 amended, 1928, 272 § 2.
SECT. 69 amended, 1928, 272 § 3.
SECT. 71 amended, 1928, 272 § 4.
SECT. 78 amended, 1928, 386 § 2.
SECT. 84 amended, 1931, 426 § 83.
SECT. 97 amended, 1926, 90 § 1.
SECT. 103 amended, 1923, 362 § 89.
SECT. 104 amended, 1931, 394 § 205.
SECT. 111 amended, 1926, 90 § 2.
SECT. 113 amended, 1928, 272 § 5.

Chapter 186. — Estates for Years and at Will.

For provisions relative to granting discretionary stay of proceedings in certain actions of summary process, and relative to abolishing fictitious costs, so called, in such actions, see chapter 239, sections 9–13.

SECT. 12. See section 13 and note.

SECT. 13 added, 1927, 339 § 1 (relative to the termination of certain tenancies at will). [For previous temporary legislation, see 1919, 257; 1920, 538; 1921, 489; 1922, 357 § 1; 1923, 11; 1924, 72 § 3; 1925, 86; 1926, 173.]

SECT. 14 added, 1927, 339 § 1 (relative to the violation of certain rights of certain tenants). [For previous temporary legislation, see 1920, 555; 1921, 491; 1922, 357 § 2; 1923, 6; 1924, 72 § 1; 1925, 192; 1926, 172.]

Chapter 188. — Homesteads.

SECT. 7 amended, 1924, 56 § 4. (See 1924, 56 § 5.)

SECT. 7A added, 1924, 56 § 3 (relative to the releasing of rights of homestead). (See 1924, 56 § 5.)

Chapter 189. — Dower and Curtesy.

SECT. 1A added, 1924, 56 § 1 (relative to the releasing of rights of dower and curtesy). (See 1924, 56 § 5.)

SECT. 5 amended, 1924, 56 § 2. (See 1924, 56 § 5.)

Chapter 190. — Descent and Distribution of Real and Personal Property.

Short form of certain fiduciary bonds, direct enforcement of same in equity in the probate court and dispensing with the practice of issuing and recording letters of appointment, see 1922, 512.

SECT. 7 amended, 1925, 281 § 3.

Chapter 191. — Wills.

Short form of certain fiduciary bonds, direct enforcement of same in equity in the probate court and dispensing with the practice of issuing and recording letters of appointment, see 1922, 512.

SECT. 20 revised, 1925, 155 § 1.

SECT. 21 repealed, 1925, 155 § 2.

SECT. 25 amended, 1931, 426 § 279.

SECT. 28 amended, 1931, 426 § 280.

Chapter 192. — Probate of Wills and Appointment of Executors.

Short form of certain fiduciary bonds, direct enforcement of same in equity in the probate court and dispensing with the practice of issuing and recording letters of appointment, see 1922, 512.

Chapter 193. — Appointment of Administrators.

Short form of certain fiduciary bonds, direct enforcement of same in equity in the probate court and dispensing with the practice of issuing and recording letters of appointment, see 1922, 512.

SECT. 1 amended, 1928, 216 § 1.

SECT. 7 amended, 1921, 64.

Chapter 194. — Public Administrators.

Short form of certain fiduciary bonds, direct enforcement of same in equity in the probate court and dispensing with the practice of issuing and recording letters of appointment, see 1922, 512.

For provision authorizing the completion of administration of certain estates by public administrators under general bonds, see 1931, 305 § 5.

SECT. 1 amended, 1929, 85.

SECT. 2 revised, 1931, 305 § 1.

SECT. 3 repealed, 1931, 305 § 2.

SECT. 5 revised, 1929, 264 § 1.

SECT. 16, paragraph added at end, 1931, 305 § 3.

SECT. 17, last sentence amended, 1931, 394 § 206.

Chapter 195. — General Provisions relative to Executors and Administrators.

Short form of certain fiduciary bonds, direct enforcement of same in equity in the probate court and dispensing with the practice of issuing and recording letters of appointment, see 1922, 512.

SECT. 6 revised, 1930, 213 § 1.

Chapter 196. — Allowances to Widows and Children, and Advancements.

Short form of certain fiduciary bonds, direct enforcement of same in equity in the probate court and dispensing with the practice of issuing and recording letters of appointment, see 1922, 512.

Chapter 197. — Payment of Debts, Legacies and Distributive Shares.

Short form of certain fiduciary bonds, direct enforcement of same in equity in the probate court and dispensing with the practice of issuing and recording letters of appointment, see 1922, 512.

SECT. 9 revised, 1931, 417 § 1.

Chapter 198. — Insolvent Estates of Deceased Persons.

Short form of certain fiduciary bonds, direct enforcement of same in equity in the probate court and dispensing with the practice of issuing and recording letters of appointment, see 1922, 512.

Transfer of Suffolk county files to custody of state secretary, 1928, 161.

SECT. 7A added, 1922, 175 § 1 (relative to the allowance of claims of creditors receiving preferences).

SECTS. 10A–10C added, 1922, 175 § 2 (relative to preferences made by persons dying insolvent).

Chapter 199. — Settlement of Estates of Deceased Non-Residents.

Short form of certain fiduciary bonds, direct enforcement of same in equity in the probate court and dispensing with the practice of issuing and recording letters of appointment, see 1922, 512.

Chapter 200. — Settlement of Estates of Absentees.

Short form of certain fiduciary bonds, direct enforcement of same in equity in the probate court and dispensing with the practice of issuing and recording letters of appointment, see 1922, 512.

SECT. 1 amended, 1926, 3.

SECT. 8 revised, 1929, 264 § 2.

Chapter 201. — Guardians and Conservators.

Short form of certain fiduciary bonds, direct enforcement of same in equity in the probate court and dispensing with the practice of issuing and recording letters of appointment, see 1922, 512.

SECT. 2 amended, 1930, 384 § 1.

SECT. 3 revised, 1922, 461.

SECT. 5 amended, 1931, 283 § 1.

SECT. 7 revised, 1930, 384 § 2.

SECT. 8 amended, 1931, 394 § 134.

SECT. 14 amended, 1931, 394 § 135.

SECT. 17 amended, 1930, 384 § 3.

SECT. 38 amended, 1930, 138 § 1.

SECT. 40 amended, 1931, 364.

SECT. 43A added, 1931, 420 (relative to the support of dependent parents of insane persons under guardianship).

SECT. 45 amended, 1924, 8.

SECT. 48A added, 1930, 237 (authorizing certain guardians and conservators to make provision for the burial expenses of their wards).

Chapter 202. — Sales, Mortgages and Leases of Real Estate by Executors, Administrators, Guardians and Conservators.

Short form of certain fiduciary bonds, direct enforcement of same in equity in the probate court and dispensing with the practice of issuing and recording letters of appointment, see 1922, 512.

SECT. 12 amended, 1931, 394 § 136.

SECT. 19 amended, 1923, 321.

Chapter 203. — Trusts.

Short form of certain fiduciary bonds, direct enforcement of same in equity in the probate court and dispensing with the practice of issuing and recording letters of appointment, see 1922, 512.

SECT. 21 revised, 1926, 226.

Chapter 204. — General Provisions relative to Sales, Mortgages, Releases, Compromises, etc., by Executors, etc.

Short form of certain fiduciary bonds, direct enforcement of same in equity in the probate court and dispensing with the practice of issuing and recording letters of appointment, see 1922, 512.

SECT. 1 revised, 1929, 342 § 2.

SECT. 13 amended, 1925, 67 § 1.

SECT. 14 amended, 1925, 67 § 2.

SECT. 23 amended, 1921, 44 § 1.

SECT. 24 amended, 1921, 44 § 2.

SECT. 25 amended, 1921, 44 § 3.

SECT. 26 amended, 1921, 44 § 4.

Chapter 205. — Bonds of Executors, Administrators, Guardians, Conservators, Trustees and Receivers.

Short form of certain fiduciary bonds, direct enforcement of same in equity in the probate court and dispensing with the practice of issuing and recording letters of appointment, see 1922, 512.

SECT. 1. See 1922, 512.

SECT. 6A added, 1923, 259 (relative to bonds required of national banks as fiduciaries).

SECT. 7A added, 1922, 512 (relative to certain fiduciary bonds in the probate court).

SECT. 9 amended, 1930, 384 § 4.

SECT. 19A added, 1924, 406 § 19 (relative to deposit of funds by fiduciaries for safekeeping). [Formerly in chapter 175 as a portion of section 105.]

SECTS. 20–35. See 1922, 512.

SECT. 29 revised, 1931, 110 § 1.

Chapter 206. — Accounts and Settlements of Executors, Administrators, Guardians, Conservators, Trustees and Receivers.

Short form of certain fiduciary bonds, direct enforcement of same in equity in the probate court and dispensing with the practice of issuing and recording letters of appointment, see 1922, 512.

SECT. 7, sentence added at end, 1930, 384 § 5.

SECT. 23A added, 1922, 59 (issuing of citations on probate accounts).

Chapter 207. — Marriage.

SECT. 5 revised, 1931, 214.

SECT. 19 amended, 1930, 141.

SECT. 20 revised, 1931, 237.

SECT. 25 amended, 1922, 98; 1923, 305 § 1; revised, 1931, 212.

SECT. 28 revised, 1930, 51 § 1.

SECT. 33 amended, 1923, 305 § 2; 1931, 341.

SECT 33A added, 1931, 264 (requiring proof of age in certain cases before the issue of a marriage certificate to minors).

SECT. 38 revised, 1929, 169.

SECT. 39 amended, 1926, 102.

SECT. 57 revised, 1930, 51 § 2.

Chapter 208. — Divorce.

General provisions of law governing libels for divorce brought in the superior court made applicable to such libels when commenced in the probate court, see 1922, 532 § 6.

SECT. 6 amended, 1921, 466 § 1; 1922, 532 § 5; revised, 1922, 542 § 1.

SECT. 6A added, 1922, 532 § 6 (making the general provisions of law governing libels for divorce brought in the superior court applicable to such libels when commenced in the probate court); second paragraph amended, 1926, 363 § 3; repealed, 1931, 426 § 88.

SECT. 8 amended, 1923, 60; 1924, 193; 1931, 426 § 89.

SECT. 9A added, 1921, 466 § 2 (transfer from the superior to the probate court of uncontested divorce libels); repealed, 1922, 542 § 3.

SECT. 10 amended, 1931, 426 § 90.
SECT. 11 amended, 1931, 426 § 91.
SECT. 16 revised, 1931, 426 § 92.
SECT. 18 revised, 1931, 426 § 93.
SECT. 28 amended, 1931, 261.
SECT. 29 revised, 1931, 327 § 1.
SECT. 30 amended, 1931, 426 § 94.
SECT. 33 amended, 1931, 426 § 95.
SECT. 34 amended, 1931, 426 § 96.
SECT. 45 amended, 1931, 426 § 97.
SECT. 46 amended, 1931, 426 § 98.

Chapter 209. — Husband and Wife.

SECT. 32 revised, 1921, 56.
SECTS. 32A–32C added, 1922, 242 (naming of third parties in proceedings for separate support).
SECT. 35 revised, 1924, 345 § 1.
SECT. 36 revised, 1924, 345 § 2.

Chapter 210. — Adoption of Children and Change of Names.

SECT. 2 revised, 1929, 221 § 1.
SECT. 3 amended, 1928, 155 § 57.
SECT. 4 revised, 1929, 221 § 2.
SECT. 5A added, 1931, 342 (providing for investigation and report by the department of public welfare in proceedings for the adoption of children under fourteen and requiring a trial residence period).
SECT. 11A added, 1931, 376 (regulating newspaper advertisements of children offered or wanted for adoption).
SECT. 13 revised, 1930, 153 § 1; 1931, 115 § 1.

Chapter 211. — The Supreme Judicial Court.

Provision for the publication and sale of advance sheets of the opinions and decisions of the supreme judicial court, see 1923, Resolve 30; 1926, Resolve 40; 1927, Resolve 1; 1929, Resolve 10.
As to the transfer of causes within the concurrent jurisdiction of the superior court or the probate court and of the supreme judicial court, see 1922, 532 § 1.
SECT. 7 revised, 1926, 329 § 8.
SECT. 12 revised, 1926, 329 § 9.
SECT. 15 amended, 1925, 279 § 5; revised, 1926, 329 § 10.
SECT. 22 revised, 1928, 295 § 1; amended, 1931, 426 § 281. (See 1923, 375.)
SECT. 23 revised, 1922, 228 § 2.

Chapter 212. — The Superior Court.

As to the transfer of causes within the concurrent jurisdiction of the superior court or the probate court and of the supreme judicial court, see 1922, 532 § 1.
As to concurrent jurisdiction of divorce libels in the superior and probate courts, see 1922, 532 §§ 4, 5, 7; 542.
Temporary act, inoperative after December 31, 1932, providing for the more prompt disposition of criminal cases in the superior court, see

1923, 469 as amended by 1924, 485; 1926, 285; 1927, 282; 1928, 353; 1929, 291; 1930, 367.

Temporary act, inoperative on and after the first Monday of January, 1933 (except as to to cases then in course of trial), relative to sittings and sessions of the superior court, see 1927, 306; amended in part, 1928, 228.

Act conferring upon district courts jurisdiction concurrent with the superior court of actions of contract, tort, replevin and summary process, 1929, 316.

SECT. 1 amended, 1922, 532 § 3; 1925, 304 § 1.

SECT. 3 amended, 1922, 532 § 4; 1931, 426 § 104. (See 1922, 532 § 5.)

SECT. 11 amended, 1925, 279 § 4; repealed, 1929, 265 § 4.

SECT. 14 amended, 1921, 35, 327.

SECT. 16 amended, 1922, 532 § 11.

SECT. 17 amended, 1923, 262 § 1.

SECT. 18A added, 1921, 350 § 1 (authorizing sittings of the superior court at Quincy); repealed, 1923, 262 § 2.

SECT. 19A added, 1922, 533 (providing for the appointment of a special master by the superior court).

SECT. 24 amended, 1926, 228; affected, 1926, 296.

SECT. 27 revised, 1928, 295 § 2.

SECT. 28 revised, 1924, 188.

SECT. 28A added, 1931, 363 (relative to the printing of the rules of the superior court and the disposal of copies thereof).

Chapter 213. — Supreme Judicial and Superior Courts.

Temporary act, inoperative on and after the first Monday of January, 1933 (except as to cases then in course of trial), relative to sittings and sessions of the superior court, see 1927, 306; amended in part, 1928, 228.

SECT. 3, cl. Tenth A added, 1929, 186 § 1 (relative to judicial interpretation of written instruments without other relief).

SECT. 7 revised, 1924, 150.

Chapter 214. — Equity Jurisdiction and Procedure in the Supreme Judicial and Superior Courts.

SECT. 3, cl. (7), see 1922, 486 § 1 subsect. 44; cl. (10) revised, 1923, 149 § 3; 1930, 340 § 4; cl. (11) added, 1929, 126 § 1 (relative to enforcement of the purposes of public gifts and conveyances).

SECT. 6 revised, 1926, 138.

SECT 13 amended, 1921, 431 § 1.

SECT. 19 amended, 1929, 265 § 5.

SECT. 23 revised, 1931, 426 § 282.

SECT. 25A added, 1926, 177 (regulating practice as to exceptions in suits in equity).

SECT. 32 revised, 1922, 532 § 1.

SECT. 33 repealed, 1922, 532 § 2.

SECT. 39 amended, 1931, 426 § 84.

Chapter 215. — Probate Courts.

As to the transfer of causes within the concurrent jurisdiction of the superior court or the probate court and of the supreme judicial court, see 1922, 532 § 1.

As to concurrent jurisdiction of divorce libels in the superior and probate courts, see 1922, 532 §§ 4, 5, 7; 542.

Short form of certain fiduciary bonds, direct enforcement of same in equity in the probate court and dispensing with the practice of issuing and recording letters of appointment, see 1922, 512.

Sect. 3 amended, 1921, 466 § 3; 1922, 532 § 7; revised, 1922, 542 § 2.

Sect. 6 revised, 1929, 342 § 1; amended, 1931, 426 § 85.

Sect. 6A added, 1927, 94 § 1 (authorizing equitable attachments in the probate court in proceedings within its jurisdiction).

Sect. 8A added, 1925, 159 (providing for a change of venue of proceedings in probate courts).

Sect. 10 amended, 1929, 265 § 6.

Sect. 11 revised, 1931, 426 § 283.

Sect. 18 revised, 1923, 392; 1924, 194 § 1; amended, 1931, 301 § 24. (See 1930, 400 §§ 5, 7–9.)

Sect. 24 revised, 1926, 214.

Sect. 30A added, 1931, 404 § 1 (establishing the administrative committee of the probate courts and defining its powers and duties).

Sect. 36 revised, 1929, 189 § 1, 328 § 1.

Sect. 37 amended, 1931, 305 § 4.

Sect. 38 amended, 1931, 394 § 187.

Sect. 45 revised, 1931, 120 § 1.

Sect. 48 amended, 1930, 213 § 2.

Sect. 56A added, 1923, 432 (relative to the appointment by judges of probate of guardians ad litem in certain proceedings). (See 1924, 194 § 2.)

Sect. 62 amended, 1922, 41, 257; 1923, 325 § 1, 483; paragraph in lines 43–47, as printed in the General Laws, revised, 1929, 112; paragraph in line 61, as so printed, revised, 1929, 183; paragraph in lines 33–36, as so printed, revised, 1930, 112 § 1; third paragraph, as appearing in 1923, 483, revised, 1931, 28 § 1.

Chapter 217. — Judges and Registers of Probate and Insolvency.

Sect. 3 amended, 1924, 375; 1926, 97 § 1.

Sect. 4 amended, 1931, 426 § 284.

Sect. 14 amended, 1931, 394 § 207.

Sect. 23 amended, 1923, 164 § 1.

Sect. 24 amended, 1923, 164 § 2; 1928, 223 § 1; 1930, 371 § 1.

Sect. 24A added, 1927, 209 § 1 (providing for a third assistant register of probate for Suffolk county).

Sect. 25 amended, 1923, 164 § 3; 1927, 198 § 1.

Sect. 26 amended, 1931, 426 § 285.

Sect. 27A added, 1924, 194 § 2 (authorizing the appointment of a permanent officer for the probate court for Suffolk county); amended, 1931, 301 § 25. (See 1930, 400 §§ 5, 7–9.)

Sect. 28 amended, 1925, 246.

Sect. 30, last sentence amended, 1931, 301 § 25A.

Sect. 31, last sentence revised, 1931, 301 § 26.

Sect. 32, last sentence revised, 1931, 301 § 27.

Sect. 32A added, 1931, 354 § 1 (providing for a messenger for the probate court for Hampden county).

Sect. 33 revised, 1921, 42 § 1; amended, 1923, 362 § 90; revised. 1931, 301 § 104. (See 1931, 301 § 105.)

SECT. 34 amended, 1923, 383 § 1; revised, 1926, 380 § 1.
SECT. 35 revised, 1926, 380 § 2; amended, 1927, 198 § 2; revised, 1931, 301 § 106. (See 1930, 400 § 6.)
SECT. 36 amended, 1922, 333 § 4; 1923, 362 § 91; repealed, 1926, 380 § 3.
SECT. 37 revised, 1921, 364; amended, 1923, 383 § 2; repealed, 1926, 380 § 4.
SECT. 38 revised, 1926, 380 § 5; 1927, 209 § 2; amended, 1931, 301 § 107. (See 1930, 400 § 6.)
SECT. 39 amended, 1921, 42 § 2; revised, 1924, 415 § 1; 1931, 301 § 28. (See 1930, 400 §§ 5, 7–9.)
SECT. 40 amended, 1923, 384; 1924, 376.
SECT. 41 amended, 1926, 97 § 2.

Chapter 218. — District Courts.

As to jurisdiction and procedure in civil cases in district courts other than the municipal court of the city of Boston, see 1922, 532 § 8.
Act enlarging the jurisdiction of district courts for civil business, 1929, 316.
Police courts, title changed to district courts, 1921, 430 § 1.
Temporary act, inoperative after December 31, 1932, providing that certain justices of district courts sit in criminal cases in the superior court, see 1923, 469 as amended by 1924, 485; 1926, 285; 1927, 282; 1928, 353; 1929, 291; 1930, 367.
SECT. 1 affected, 1921, 430 § 1; paragraphs in lines 131–137 amended, 1923, 243 § 1; paragraph in lines 55 and 56 amended, 1924, 229 § 1; paragraph in lines 4 and 5 amended, 1927, 159 § 1; paragraph in lines 186 and 187 amended, 1927, 262 § 1; paragraphs in lines 9–12 and in lines 19 and 20 amended, 1928, 136; paragraph in lines 80–82 amended, 1930, 132 § 1; section revised, 1931, 394 § 209. (See 1930, 132 § 2.)
SECT. 2 affected, 1921, 430 § 1; 1931, 394 § 210.
SECT. 6, first paragraph amended, 1924, 229 § 2; 1925, 88 § 1; 1930, 144.
SECT. 8 revised, 1927, 227 § 1.
SECT. 10 revised, 1921, 287 § 1; 1922, 63 § 1; amended, 1923, 164 § 4; revised, 1923, 314 § 1; amended, 1923, 379 § 1; revised, 1925, 257 § 1; 1926, 69 § 1, 366 § 1, 389 § 1; amended, 1928, 162; 1929, 95 § 1; revised, 1929, 254 § 1; amended, 1930, 152 § 1.
SECT. 11 amended, 1922, 156.
SECT. 12 amended, 1927, 52.
SECT. 16 revised, 1926, 191 § 1; amended, 1931, 426 § 286.
SECT. 17 amended, 1931, 426 § 287.
SECT. 19 revised, 1922, 532 § 12A; 1924, 57 § 1; 1929, 316 § 1.
SECT. 20 amended, 1924, 57 § 2; 1929, 316 § 2.
SECT. 21 amended, 1922, 99 § 1; 1928, 144 § 1.
SECT. 23 amended, 1925, 132 § 1.
SECT. 27 revised, 1924, 149.
SECT. 30 amended, 1929, 216 § 1.
SECT. 36 revised, 1924, 58.
SECT. 38 amended, 1926, 271 § 4; affected, 1926, 296.
SECT. 39 amended, 1927, 245.
SECT. 43 amended, 1922, 532 § 9; 1931, 325 § 3.

SECT. 43A added, 1922, 532 § 10 (establishing an administrative committee of district courts); first sentence revised, 1931, 426 § 122.
SECT. 47 amended, 1926, 191 § 2; 1930, 183 § 1.
SECT. 50 amended, 1928, 334 § 1.
SECT. 52 amended, 1931, 136 § 1.
SECT. 53 amended, 1922, 309 § 1; 1923, 323 § 1; 1924, 36; 1928, 334 § 2; 1931, 210 § 1; affected, 1931, 210 § 2.
SECT. 54 amended, 1931, 426 § 99.
SECT. 55 revised, 1921, 486 § 33. (See 1930, 400 §§ 5, 7–9.)
SECT. 62 amended, 1921, 284 § 1; revised, 1922, 299 § 1; 1923, 448 § 1; amended, 1924, 86 § 1; 1928, 198 § 1; 1929, 208 § 1; 1931, 285.
SECT. 63 amended, 1931, 301 § 29.
SECT. 65 amended, 1924, 86 § 2; 1931, 301 § 30. (See 1930, 400 §§ 5, 7–9.)
SECT. 67 revised, 1931, 301 § 31. (See 1930, 400 §§ 5, 7–9.)
SECT. 68 amended, 1925, 255 § 1; 1931, 301 § 32. (See 1930, 400 §§ 5, 7–9.)
SECT. 69 affected, 1921, 430 § 1; revised, 1922, 399 § 1; amended, 1931, 301 § 33. (See 1930, 400 §§ 5, 7–9.)
SECT. 70 affected, 1921, 430 § 1; revised, 1922, 399 § 2; 1931, 301 § 34. (See 1930, 400 §§ 5, 7–9.)
SECT. 71 revised, 1921, 465 § 1; repealed, 1922, 399 § 3.
SECT. 71A added, 1921, 334 § 1 (relative to extra clerical assistance for district court of Springfield); repealed, 1922, 399 § 3.
SECT. 71B added, 1921, 334 § 2 (relative to extra clerical assistance for district court of Hampshire); repealed, 1922, 399 § 3.
SECT. 71C added, 1921, 464 § 1 (relative to clerical assistance for municipal court of the Roxbury district); repealed, 1922, 399 § 3.
SECT. 71D added, 1921, 465 § 2 (relative to clerical assistance for municipal court of the Brighton district); repealed, 1922, 399 § 3.
SECT. 72 repealed, 1922, 399 § 3.
SECT. 73 affected, 1921, 430 § 1; repealed, 1922, 399 § 3.
SECT. 74 revised, 1928, 140.
SECT. 75 amended, 1921, 284 § 2; 1922, 309 § 2; revised, 1923, 323 § 2; amended, 1923, 448 § 2; revised, 1924, 506 § 1; 1928, 233 § 1, 334 § 3; amended, 1930, 415 § 1; 1931, 301 § 35. (See 1930, 400 §§ 5, 7–9.)
SECT. 76 amended, 1921, 355 § 1; 1924, 484 § 1; revised, 1924, 505 § 1; amended, 1927, 294 § 1; 1928, 256 § 1.
SECT. 77 revised, 1923, 326 § 1; 1927, 227 § 2; 1931, 152.
SECT. 78, schedule revised, 1923, 479 § 1.
SECT. 79 amended, 1923, 379 § 2; revised, 1926, 366 § 2.
SECT. 80 revised, 1921, 355 § 2; amended, 1924, 484 § 2; revised, 1924, 503 § 1; amended, 1927, 294 § 2.
SECT. 81 revised, 1925, 38; 1931, 148.
SECT. 83 amended, 1921, 321 § 1; revised, 1923, 322 § 1; 1925, 256 § 1; repealed, 1931, 301 § 36. (See 1930, 400 §§ 5, 7–9.)
SECT. 84 amended, 1931, 301 § 37. (See 1930, 400 §§ 5, 7–9.)

Chapter 219. — Trial Justices.

SECT. 2 amended, 1924, 229 § 3.
SECT. 15 revised, 1930, 183 § 2.
SECT. 17 amended, 1922, 364 § 1; 1924, 229 § 4.

SECT. 17A added, 1926, 288 (providing for clerical assistance for trial justice in Ludlow). (See 1930, 400 §§ 5, 7–9.)
SECT. 20 amended, 1929, 216 § 2.
SECT. 23 amended, 1931, 426 § 288.

Chapter 220. — Courts and Naturalization.

SECT. 6 amended, 1931, 426 § 289.
SECT. 18 amended, 1931, 426 § 290.

Chapter 221. — Clerks, Attorneys and Other Officers of Judicial Courts.

SECT. 1 amended, 1922, 487 § 1.
SECT. 4 amended, 1921, 305; 1923, 164 § 5; revised, 1923, 206 § 1.
SECT. 5 amended, 1923, 164 § 6; paragraph added at end, 1931, 301 § 38.
SECT. 6 amended, 1921, 236.
SECT. 7 amended, 1922, 423 § 1; 1925, 108.
SECT. 14 amended, 1922, 423 § 2.
SECT. 20 amended, 1922, 53; revised, 1924, 392.
SECT. 24 revised, 1924, 131; 1927, 64; 1928, 163.
SECT. 32 amended, 1930, 331 § 1. (See 1930, 331 § 2.)
SECT. 34 repealed, 1931, 426 § 291.
SECTS. 34A–34C added, 1924, 244 (relative to a judicial council to make a continuous study of the organization, procedure and practice of the courts).
SECT. 34A (inserted by 1924, 244) amended, 1930, 142.
SECT. 34C (inserted by 1924, 244) revised, 1927, 293 § 1.
SECT. 37 amended, 1921, 290 § 1; 1925, 11. [See 1922, 493, and 1924, 316 (inserting section 38A, permitting certain aliens to take examinations for admission to the bar).]
SECT. 38A added, 1924, 316 (permitting certain aliens to take examinations for admission to the bar).
SECT. 39 amended, 1921, 290 § 2.
SECT. 40 revised, 1924, 134.
SECT. 47 amended, 1925, 346 § 8.
SECT. 55 amended, 1921, 163.
SECT. 62 amended, 1929, 285 § 1; 1931, 426 § 292.
SECT. 62A added, 1929, 285 § 2 (relative to compensation for services rendered by incapacitated or deceased auditors or special masters in certain cases); amended, 1931, 426 § 293.
SECT. 68 revised, 1930, 89.
SECT. 69 amended, 1923, 407 § 1.
SECT. 70 amended, 1923, 324 § 1.
SECT. 71 amended, 1923, 352 § 1; last sentence stricken out, 1931, 301 § 39. (See 1930, 400 §§ 5, 7–9.)
SECT. 72 amended, 1923, 407 § 2.
SECT. 74 amended, 1924, 417 § 1; repealed, 1931, 301 § 40. (See 1930, 400 §§ 5, 7–9.)
SECT. 75 amended, 1921, 423; revised, 1925, 138; 1931, 301 § 41. (See 1930, 400 §§ 5, 7–9.)
SECT. 76, last sentence revised, 1931, 301 § 42. (See 1930, 400 §§ 5, 7–9.)

Sect. 80 revised, 1931, 301 § 43; last sentence amended, 1931, 455.
Sect. 82 revised, 1927, 332 § 1.
Sect. 83 revised, 1927, 332 § 2.
Sects. 84 and 85 repealed, 1927, 332 § 3.
Sect. 87 revised, 1927, 332 § 4.
Sect. 88 revised, 1927, 332 § 5.
Sect. 89 revised, 1927, 332 § 6.
Sect. 90 repealed, 1922, 228 § 1.
Sect. 90A added, 1927, 332 § 7 (providing for the reimbursement of the county for which a salaried official stenographer is appointed by any other county in which such stenographer renders service).
Sect. 91 revised, 1927, 332 § 8; 1931, 301 § 44. (See 1930, 400 §§ 5, 7–9.)
Sect. 92 revised, 1926, 294; amended, 1931, 301 § 45. (See 1930, 400 §§ 5, 7–9.)
Sect. 93 amended, 1922, 487 § 2; revised, 1930, 275.
Sect. 94 revised, 1931, 301 § 46. (See 1930, 400 §§ 5, 7–9.)
Sect. 95 amended, 1923, 206 § 2; 1927, 235 § 1; repealed, 1931, 301 § 47. (See 1930, 400 §§ 5, 7–9.)
Sect. 96 amended, 1921, 486 § 34; repealed, 1931, 301 § 47. (See 1930, 400 §§ 5, 7–9.)
Sect. 97 amended, 1927, 235 § 2; repealed, 1931, 301 § 47. (See 1930, 400 §§ 5, 7–9.)
Sect. 98 amended, 1924, 350 § 1; repealed, 1931, 301 § 47. (See 1930, 400 §§ 5, 7–9.)
Sect. 100. See 1930, 400 §§ 5, 7–9.
Sect. 102 revised, 1931, 301 § 48. (See 1930, 400 §§ 5, 7–9.)

Chapter 222. — Justices of the Peace, Notaries Public and Commissioners.

Sect. 1 amended, 1931, 426 § 294.
Sect. 2 repealed, 1923, 164 § 7.
Sect. 3, new sentence added, 1929, 318 § 2.
Sect. 8 amended, 1931, 394 § 188.
Sect. 9 amended, 1931, 394 § 189.

Chapter 223. — Commencement of Actions, Service of Process.

Sect. 1 amended, 1921, 432.
Sect. 2 amended, 1922, 99 § 2.
Sect. 7 amended, 1923, 111.
Sect. 10 amended, 1931, 426 § 105.
Sect. 24 amended, 1931, 426 § 106.
Sect. 25 amended, 1921, 338.
Sect. 37 amended, 1926, 255.
Sect. 39. See 1921, 486 § 37.
Sect. 39A added, 1924, 285 § 5 (relative to service in actions against fire insurance companies severally liable upon a single policy); revised, 1925, 164 § 3; 1928, 80 § 4.
Sect. 40 revised, 1931, 426 § 295.
Sect. 44 amended, 1931, 426 § 296.
Sect. 45A added, 1921, 425 § 1 (security for officers making attachments).
Sect. 65 amended, 1929, 131 § 2.

SECT. 66 revised, 1929, 131 § 1.
SECT. 86A added, 1925, 170 § 1 (relative to relief in the nature of equitable attachments in certain proceedings in the supreme judicial and superior courts).
SECT. 115A added, 1924, 10 (dissolution of attachment of real property if no service upon defendant).
SECT. 120 revised, 1931, 426 § 297.
SECT. 122 amended, 1926, 89.
SECT. 129A added, 1921, 425 § 2 (release by officer of personal property attached upon filing of bond).

Chapter 224. — Arrest on Civil Process.

SECT. 2, cls. Third and Fifth revised, 1927, 334 § 1.
SECTS. 6–70, as amended, stricken out, and new sections 6–30, inserted, 1927, 334 § 2.
The following references are to the original sections:
SECT. 8 amended, 1923, 33.
SECT. 18A added, 1921, 425 § 3 (security to officers arresting on civil process).
SECT. 59 amended, 1923, 34.
The following references are to the sections inserted by 1927, 334 § 2:
SECT. 6, first paragraph amended, 1931, 137 § 1; sentence added at end of second paragraph, and paragraph added at end, 1931, 426 § 298.

Chapter 225. — Process after Judgment for Necessaries or Labor.

Chapter repealed, 1927, 334 § 6.

Chapter 226. — Bail.

SECT. 7 amended, 1931, 426 § 299.
SECT. 18 revised, 1931, 426 § 100.

Chapter 229. — Actions for Death and Injuries resulting in Death.

SECT. 1 amended, 1929, 119 § 1.
SECT. 2 amended, 1921, 486 § 35.
SECT. 4 revised, 1929, 119 § 2.
SECT. 5 amended, 1922, 439; 1925, 346 § 9.
SECT. 9 amended, 1927, 213 § 1.
SECT. 11 amended, 1931, 253 § 1.

Chapter 231. — Pleading and Practice.

SECT. 13A added, 1931, 259 § 1 (relative to service of process and confession of judgment in actions brought on certain instruments). (See 1931, 259 § 2, 426 § 120.)
SECT. 18 amended, 1921, 431 § 2.
SECT. 30 amended, 1927, 164.
* SECT. 58 amended, 1931, 81.
SECT. 59 amended, 1931, 426 § 107.
SECT. 59A added, 1922, 509 § 1 (relating to the speedy trial of cases in the supreme judicial and superior courts).
SECT. 59B added, 1929, 172 § 1 (relative to expediting the collection of debts).

*Sect. 58A added, 1931, 463 § 1 (regulating the assessment of damages in certain defaulted cases wherein judgment is secured by a motor vehicle policy or bond).

SECT. 60A added, 1929, 173 § 1 (providing for prompt informal trials in the superior court.)
SECT. 61 revised, 1929, 303 § 1.
SECT. 63 revised, 1922, 314.
SECT. 69 revised, 1926, 381 § 1; amended, 1931, 83.
SECT. 74, last sentence stricken out, 1931, 426 § 108.
SECT. 85A added, 1928, 317 § 1 (relative to pleadings and evidence in motor vehicle accident cases).
SECT. 96 amended, 1928, 306 § 2.
SECT. 97 amended, 1922, 532 § 12; revised, 1931, 426 § 109.
SECT. 98 amended, 1931, 426 § 110.
SECT. 100 repealed, 1931, 426 § 111.
SECT. 103, sentence added at end, 1921, 486 § 36; amended, 1931, 426 § 112.
SECTS. 104–110 affected, 1921, 486 § 36.
SECT. 104 revised, 1929, 316 § 3; affected, 1929, 316 § 4; revised, 1931, 426 § 113.
SECT. 105 revised, 1931, 426 § 114.
SECT. 107 amended, 1931, 426 § 115.
SECT. 108 amended, 1931, 325 § 1; revised, 1931, 426 § 116.
SECT. 109 revised, 1929, 265 § 2; 1931, 426 § 117.
SECT. 110 amended, 1931, 426 § 118.
SECTS. 110A–110C added, 1922, 532 § 8 (relative to jurisdiction and procedure in civil cases in district courts other than the municipal court of the city of Boston).
SECT. 110A amended, 1925, 132 § 2; repealed, 1931, 426 § 119. (See 1931, 426 §§ 112–118.)
SECT. 110B, third sentence revised, 1930, 54 § 1; two sentences added at end, 1931, 325 § 2; section repealed, 1931, 426 § 119. (See 1931, 426 §§ 112–118.)
SECT. 110C, last paragraph amended, 1927, 240; section amended, 1931, 108; repealed, 1931, 426 § 119. (See 1930, 400 §§ 5, 7–9; 1931, 426 §§ 112–118.)
SECT. 115 revised, 1923, 5; amended, 1931, 426 § 300.
SECT. 121 amended, 1927, 332 § 9.
SECT. 133 revised, 1927, 332 § 10.
SECT. 135 revised, 1929, 265 § 1; second paragraph amended, 1931, 219; section amended, 1931, 426 § 301.
SECT. 141 amended, 1928, 317 § 2; 1929, 265 § 3; 1930, 65 § 1; 1931, 426 § 120; 1931, 463 § 2.
SECT. 142 amended, 1928, 39.
SECT. 143 revised, 1931, 426 § 121.
SECT. 144 amended, 1928, 306 § 1.
SECT. 146 amended, 1926, 381 § 2; 1931, 426 § 302.

Chapter 232. — Set-off and Tender.

SECT. 11 amended, 1931, 426 § 101.

Chapter 233. — Witnesses and Evidence.

SECT. 1 amended, 1923, 263; 1931, 394 § 190.
SECT. 5 revised, 1926, 230; affected, 1926, 296.
SECT. 8 revised, 1930, 62.

SECT. 26 amended, 1931, 394 § 191.
SECT. 29 amended, 1931, 394 § 192.
SECT. 30 amended, 1931, 394 § 193.
SECT. 32 amended, 1931, 394 § 194.
SECT. 33 amended, 1931, 394 § 195.
SECT. 34 amended, 1931, 394 § 196.
SECT. 45 amended, 1931, 394 § 197.
SECT. 46 amended, 1931, 394 § 198.
SECT. 47 amended, 1931, 394 § 199.
SECT. 48 amended, 1931, 394 § 200.
SECT. 49 amended, 1931, 394 § 201.
SECT. 65A added, 1931, 386 (relative to the use of answers to interrogatories in case of the death of the party interrogated).
SECT. 70 revised, 1926, 168 § 1.
SECTS. 71 and 72 repealed, 1926, 168 § 2.
SECT. 78 revised, 1930, 87 § 1.
SECT. 80 revised, 1927, 332 § 11.

Chapter 234. — Juries.

SECT. 1 amended, 1923, 413 § 1; 1924, 311 § 1.
SECT. 3 amended, 1921, 455 § 2.
SECT. 3A added, 1921, 455 § 1 (postponement of jury service).
SECT. 4 revised, 1924, 311 § 2.
SECT. 8 amended, 1926, 193; affected, 1926, 296.
SECT. 23 revised, 1924, 311 § 3.
SECT. 24 amended, 1924, 311 § 4.
SECT. 29 amended, 1926, 192; affected, 1926, 296.
SECT. 37 amended, 1924, 311 § 5.
SECT. 38 revised, 1931, 426 § 303.

Chapter 235. — Judgment and Execution.

SECT. 8 amended, 1924, 38.
SECT. 17 amended, 1925, 217 § 1.
SECT. 23 revised, 1925, 217 § 2.
SECT. 30 amended, 1931, 426 § 86.
SECT. 35 revised, 1921, 425 § 4 (security for officers taking property on execution).

Chapter 236. — Levy of Executions on Land.

SECT. 47 amended, 1925, 217 § 3; 1927, 167 § 1; affected, 1927, 167 § 2.

Chapter 239. — Summary Process for Possession of Land.

For provisions relative to termination of tenancies at will, see chapter 186, sections 12 and 13.
SECT. 3 amended, 1931, 426 § 304.
SECTS. 9–13 added, 1927, 339 § 2 (relative to granting discretionary stay of proceedings in certain actions of summary process, and relative to abolishing fictitious costs, so called, in such actions). [For previous temporary legislation, see 1920, 577; 1921, 490; 1922, 357 § 3; 1923, 36 §§ 1, 2; 1924, 72 § 2; 1925, 111; 1926, 183.]

Chapter 240. — Proceedings for Settlement of Title to Land.

SECT. 6 amended, 1931, 387 § 3.
SECT. 15 amended, 1924, 20.

Chapter 246. — Trustee Process.

SECT. 4A added, 1921, 417 (relative to trustee suits in district courts).
SECT. 6 amended, 1921, 486 § 37.
SECT. 10 amended, 1922, 93.
SECT. 11 revised, 1927, 216.
SECT. 32, cl. First revised, 1924, 151.
SECT. 45 amended, 1925, 217 § 4.

Chapter 248. — Habeas Corpus and Personal Liberty.

SECT. 2 revised, 1931, 426 § 38.

Chapter 250. — Writs of Error.

SECT. 11 amended, 1925, 279 § 3; 1926, 329 § 7.

Chapter 251. — Arbitration.

SECT. 2 revised, 1925, 294 § 1.
SECT. 7 amended, 1925, 294 § 2.
SECT. 11 amended, 1925, 294 § 3.
SECT. 13 revised, 1925, 294 § 4.
SECTS. 14–22 added, 1925, 294 § 5 (relative to the arbitration by parties to contracts of controversies subsequently arising between them).

Chapter 252. — Improvement of Low Land and Swamps.

SECTS. 1–14, as amended by 1922, 349 §§ 1–9, and section 14A, inserted by 1922, 349 § 10, stricken out, and new sections 1–14B inserted, 1923, 457 § 1.

The following references are to the new sections inserted by 1923, 457 § 1:

SECT. 1 amended, 1926, 393 § 1; revised, 1929, 288 § 1.
SECT. 2 revised, 1926, 393 § 2.
SECT. 4A added, 1929, 288 § 2 (authorizing the commonwealth, or any political subdivision thereof, to undertake improvements under §§ 1–14B, and regulating such procedure).
SECT. 5 revised, 1926, 393 § 3.
SECT. 5A added, 1929, 288 § 3 (authorizing the undertaking of improvements under §§ 1–14B without the formation of a district, and regulating such procedure).
SECT. 5B added, 1931, 181 (providing for the abatement of certain mosquito nuisances).
SECT. 6, first paragraph revised, 1924, 93 § 1; 1926, 393 § 4; last paragraph revised, 1924, 93 § 2.
SECT. 7, first sentence amended, 1924, 93 § 3; section amended, 1926, 393 § 5.
SECT. 8 revised, 1926, 393 § 6; last sentence stricken out, 1929, 288 § 4.

SECT. 9 revised, 1926, 393 § 7.
SECT. 10 revised, 1926, 393 § 8.
SECT. 11 revised, 1926, 393 § 9; 1931, 182.
SECT 14 revised, 1926, 393 § 10.
SECT. 14A amended, 1926, 393 § 11.
SECT. 14C added, 1929, 288 § 5 (penalizing the obstruction or injury of improvements made under §§ 1–14B).

Chapter 253. — Mills, Dams and Reservoirs.

SECT. 15 amended, 1931, 426 § 305.
SECT. 39 amended, 1931, 394 § 108.
SECT. 44 amended, 1924, 178 § 1.
SECT. 45 amended, 1923, 334 § 2; revised, 1924, 178 § 2.
SECT. 47 revised, 1924, 178 § 3.
SECT. 48 revised, 1924, 178 § 4.
SECTS. 63 and 64 repealed, 1931, 426 § 39.

Chapter 254. — Liens on Buildings and Land.

SECTS. 27–29, under caption "LIENS ON LAND RAISED OR RECLAIMED BY DREDGING", added, 1931, 282.

Chapter 255. — Mortgages, Conditional Sales and Pledges of Personal Property, and Liens thereon.

SECT. 1 amended, 1921, 233.
SECT. 30 repealed, 1931, 426 § 123.
SECTS. 31A and 31B added, 1925, 175 § 1 (relative to the lien of spinners and others to secure charges for work, labor and materials in respect of certain goods).
SECT. 31C added, 1927, 210 § 1 (relative to the lien to secure charges for work and for materials furnished in respect of watches, clocks, silverware and jewelry).

Chapter 257. — Seizure and Libelling of Forfeited Property.

SECT. 3 amended, 1931, 426 § 102.
SECT. 14 repealed, 1931, 426 § 103.

Chapter 260. — Limitation of Action.

SECT. 1 amended, 1926, 281.
SECT. 4 amended, 1921, 319 § 1; 1925, 346 § 10; revised, 1929, 29 § 1; affected, 1929, 29 § 2; amended, 1931, 458 § 5.

Chapter 261. — Costs in Civil Actions.

SECT. 3 repealed, 1931, 426 § 124.
SECT. 4 amended, 1925, 132 § 3. (See 1925, 132 § 4.)
SECT. 23 revised, 1924, 108 § 1.
SECT. 25 revised, 1924, 108 § 2.
SECT. 25A added, 1924, 108 § 6 (allowance to prevailing party of certain expenses).
SECT. 26 revised, 1924, 108 § 3.
SECT. 27 revised, 1924, 108 § 4.
SECT. 28 repealed, 1924, 108 § 5.

Chapter 262. — Fees of Certain Officers.

Sect. 1 amended, 1925, 81.
Sect. 3 amended, 1926, 128.
Sect. 4 amended, 1926, 363 § 1; paragraph in lines 19–26 stricken out, and new paragraphs inserted, 1927, 334 § 3; first paragraph inserted by 1927, 334 § 3 amended, 1931, 426 § 306.
Sect. 8, paragraph in lines 25–36 amended, 1921, 259.
Sect. 10 amended, 1931, 426 § 40.
Sect. 14 revised, 1927, 334 § 4; amended, 1931, 426 § 41.
Sect. 19 amended, 1931, 426 § 42.
Sect. 21 revised, 1930, 370.
Sect. 25 amended, 1924, 111.
Sect. 29 revised, 1929, 298 § 1.
Sect. 36 revised, 1928, 360 § 3.
Sect. 38, paragraph in lines 28 and 29 amended, 1927, 63 § 2; same paragraph stricken out, 1928, 386 § 3; paragraph in lines 4–13 revised, 1930, 253 § 1; paragraphs in lines 24–27 revised, 1930, 253 § 2.
Sect. 39 revised, 1923, 374 § 4; paragraph in lines 68–72 amended, 1928, 386 § 4.
Sect. 40 revised, 1926, 363 § 2.
Sect. 50. See 1922, 377 § 1.
Sect. 53 amended, 1922, 377 § 1.
Sect. 56 amended, 1922, 377 § 2; revised, 1931, 329.

Chapter 263. — Rights of Persons Accused of Crime.

Sect. 6 amended, 1929, 185 § 1.
Sect. 8A added, 1922, 432 (preventing double trials in district courts and before trial justices).

Chapter 264. — Crimes against Governments.

Sect. 5 amended, 1921, 278; 1922, 227.
Sect. 6 amended, 1928, 154.
Sect. 10A added, 1924, 219 (to prevent the abuse of the uniform of the naval and other forces of the United States).

Chapter 265. — Crimes against the Person.

Sect. 14 amended, 1923, 280.
Sect. 15A added, 1927, 187 § 1 (providing penalty for assault and battery with a dangerous weapon).
Sect. 24A added, 1923, 339 (relative to the venue of certain specific crimes).
Sect. 26 amended, 1931, 426 § 43.
Sect. 27 revised, 1931, 426 § 44.

Chapter 266. — Crimes against Property.

Sect. 1 amended, 1930, 382.
Sect. 22 amended, 1930, 185.
Sect. 27A added, 1923, 347 § 1 (penalizing the removal or concealment of automobiles with intent to defraud the insurers).
Sect. 28 revised, 1926, 267 § 1; affected, 1926, 296.

SECT. 29 amended, 1923, 347 § 2.
SECT. 38A added, 1928, 351 (penalizing the misuse of proceeds of construction loans).
SECT. 52 revised, 1922, 313 § 1.
SECT. 53A added, 1922, 313 § 2 (providing for the punishment of certain crimes relating to banks and banking).
SECT. 55 revised, 1922, 313 § 3.
SECT. 63 amended, 1926, 203; affected, 1926, 296.
SECT. 82 amended, 1929, 329 § 3.
SECT. 102A added, 1930, 317 (relative to infernal machines).
SECT. 111A added, 1926, 198 (relative to fraudulent claims under policies of fire insurance).
SECT. 120 amended, 1929, 109; 1931, 426 § 45.
SECT. 122 amended, 1931, 426 § 307.
SECT. 123 amended, 1931, 426 § 308.
SECT. 129 amended, 1931, 426 § 309.
SECT. 131 amended, 1931, 426 § 46.
SECT. 139 added, 1925, 237 § 2 (penalty for wrongfully tampering with "serial number" of motor vehicle); sentence added, 1930, 353 § 2.

Chapter 267. — Forgery and Crimes against the Currency.

SECT. 1 amended, 1931, 394 § 202.

Chapter 268. — Crimes against Public Justice.

SECT. 1A added, 1926, 187 § 1 (relative to dispensing with the oath as a method of verifying certain written instruments).
SECT. 6 amended, 1931, 426 § 310.
SECT. 8 amended, 1923, 451.
SECT. 8A added, 1923, 241 (relative to bribing police officers).
SECT. 16 amended, 1925, 53.
SECT. 19 revised, 1929, 170 § 3.
SECT. 30 amended, 1931, 426 § 311.
SECT. 31 revised, 1929, 170 § 4.
SECT. 33 amended, 1922, 52; revised, 1930, 21; amended, 1931, 426 § 312.

Chapter 269. — Crimes against Public Peace.

SECT. 9 repealed, 1923, 248 § 2.
SECT. 10 revised, 1923, 248 § 1; 1925, 284 § 5; amended, 1927, 326 § 5.
SECT. 10A added, 1926, 261 (prohibiting the sale and use of silencers for firearms).
SECT. 12 amended, 1922, 485 § 10.

Chapter 270. — Crimes against Public Health.

SECT. 2A added, 1927, 224 § 1 (relative to safeguarding the distribution and sale of certain dangerous caustic or corrosive substances in packages for household use).
SECT. 4 revised, 1929, 299.

Chapter 271. — Crimes against Public Policy.

SECT. 17 revised, 1922, 315.

SECT. 22A added, 1931, 331 (authorizing certain games of cards in connection with which prizes may be won by chance).

Chapter 272. — Crimes against Chastity, Morality, Decency and Good Order.

SECT. 22 amended, 1931, 256 § 2.

SECT. 23 amended, 1931, 256 § 3.

SECT. 28 revised, 1930, 162.

SECT. 53 amended, 1931, 239.

SECT. 55 repealed, 1928, 155 § 58.

SECT. 61 amended, 1931, 426 § 47.

SECT. 62 revised, 1931, 426 § 313.

SECT. 64 amended, 1931, 426 § 314.

SECT. 71 revised, 1931, 426 § 315.

SECTS. 80A and 80B added, 1928, 347 § 1 (relative to the cropping of the ears of dogs). (See 1928, 347 § 2.)

SECT. 86 affected, 1921, 109; revised, 1924, 478 § 1.

SECTS. 86A–86F added, 1924, 478 § 2 (relative to additional fire protection for horses and mules in cities).

SECT. 86E (inserted by 1924, 478 § 2) revised, 1930, 399 § 4.

SECT. 88 amended, 1926, 76 § 1.

SECT. 89 amended, 1926, 76 § 2.

Chapter 273. — Desertion, Non-Support and Illegitimacy (former title, Desertion, Non-Support and Bastardy).

Title, and heading to sections 11 to 19, changed, 1931, 256 § 4.

SECT. 1, sentence added at end, 1925, 126; sentence added at end, 1929, 258 § 1; section revised, 1931, 226.

SECT. 4 revised, 1922, 397.

SECT. 5 amended, 1925, 182.

SECT. 9 amended, 1924, 381.

SECT. 13 revised, 1931, 211.

SECT. 19 amended, 1931, 256 § 5.

SECT. 21 amended, 1931, 394 § 137.

Chapter 274. — Felonies, Accessories and Attempts to commit Crimes.

SECT. 6 revised, 1924, 164.

Chapter 276. — Search Warrants, Rewards, Fugitives from Justice, Arrest, Examination, Commitment and Bail. Probation Officers and Commission on Probation.

SECT. 1, cl. Fifteenth added, 1924, 94 § 2 (search warrants for oleomargarine colored in imitation of yellow butter, etc.).

SECT. 29 amended, 1931, 145 § 1.

SECT. 35 amended, 1931, 145 § 2.

SECT. 57 amended, 1922, 464 § 1; revised, 1923, 436 § 1; amended, 1926, 320 § 1.

SECT. 58 amended, 1929, 216 § 3.
SECT. 60 amended, 1923, 436 § 2.
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ACTS AND RESOLVE

PASSED BY THE

General Court of Massachusetts

AT AN

EXTRA SESSION, 1931

CONVENED ON MONDAY, THE TWENTY-EIGHTH DAY OF SEPTEMBER, AND ADJOURNED ON THURSDAY, THE TWELFTH DAY OF NOVEMBER, 1931

AN ACT PROVIDING FOR THE PROTECTION OF THE INSURER OR SURETY IN CERTAIN DEFAULTED CASES WHEREIN THE JUDGMENT IS SECURED BY A MOTOR VEHICLE LIABILITY POLICY OR BOND. *Chap.* 463

Emergency preamble.

Whereas, The deferred operation of this act would tend to defeat its purpose, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

G. L. 231, new section after § 58.

Assessment of damages in certain defaulted cases wherein the judgment is secured by a motor vehicle liability policy or bond, when.

SECTION 1. Chapter two hundred and thirty-one of the General Laws is hereby amended by inserting after section fifty-eight the following new section: — *Section 58A.* Damages shall not be assessed, except by special order of the court, in an action of tort, the payment of the judgment wherein is secured by a motor vehicle liability policy or a motor vehicle liability bond, both as defined in section thirty-four A of chapter ninety, and wherein the defendant has been defaulted for failure to enter an appearance, until the expiration of four days after the plaintiff has given notice of such default to the company issuing or executing such policy or bond, and has filed an affidavit thereof. Such notice may be given by mailing the same, postage prepaid, to the said company or to its agent who issued or executed such policy or bond.

G. L. 231, § 141, etc., amended.

Sections applicable to civil actions before district courts, except in city of Boston.

SECTION 2. Section one hundred and forty-one of said chapter two hundred and thirty-one, as amended by section two of chapter three hundred and seventeen of the acts of nineteen hundred and twenty-eight, by section three of chapter two hundred and sixty-five of the acts of nineteen hundred and twenty-nine, by section one of chapter sixty-five of the acts of nineteen hundred and thirty and by section one hundred and twenty of chapter four hundred and twenty-six of the acts of nineteen hundred and thirty-one, is hereby further amended by inserting after the word "fifty-eight" in the tenth line, as printed in said chapter sixty-five, the following: — , fifty-eight A, — so as to read as follows: — *Section 141.* Sections one, two, three, four, five, six, seven, ten, eleven, twelve, thirteen, thirteen A, fourteen, fifteen, sixteen, seventeen, eighteen, nineteen, twenty, twenty-one, twenty-two, twenty-three, twenty-five, twenty-six, twenty-seven, twenty-eight, twenty-nine, thirty, thirty-one, thirty-two, thirty-three, thirty-four, thirty-five, thirty-

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Approved November 12, 1931.

Chap. 464 An Act to exempt from taxation so much of the deposits in savings banks and savings departments of trust companies as is invested in bonds and notes of the Metropolitan Transit District.

Emergency preamble.

Whereas, The deferred operation of this act would tend to defeat its purpose, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

1929, 383, § 10, last par. amended.

The last paragraph of section ten of chapter three hundred and eighty-three of the acts of nineteen hundred and twenty-nine is hereby amended by adding at the end thereof the following: — , and so much of the deposits in said savings banks and in savings departments of trust companies incorporated in the commonwealth as is invested in said bonds and notes of the district shall be exempt from taxation under section eleven of chapter sixty-three of the General Laws as now or hereafter amended and from all other taxes levied by or under authority of the commonwealth, — so as to read as follows: — All bonds and notes of the district issued under authority of this or any subsequent act shall be exempt both as to principal and income from all taxes levied by or under authority of the commonwealth, and shall be a legal investment for the deposits and the income derived therefrom of savings banks incorporated in the commonwealth, and so much of the deposits in said savings banks and in savings

Bonds and notes of metropolitan transit district and so much of the deposits in savings banks and savings departments of trust companies as is invested

departments of trust companies incorporated in the commonwealth as is invested in said bonds and notes of the district shall be exempt from taxation under section eleven of chapter sixty-three of the General Laws as now or hereafter amended and from all other taxes levied by or under authority of the commonwealth. in bonds and notes of said district, exempt from taxation.

Approved November 12, 1931.

AN ACT MAKING APPROPRIATIONS FOR THE EMPLOYMENT OF ADDITIONAL PERSONS AS A MEASURE OF RELIEF DURING THE PRESENT UNEMPLOYMENT EMERGENCY. *Chap.* 465

Whereas, The deferred operation of this act would tend to defeat its purpose, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience. Emergency preamble.

Be it enacted, etc., as follows:

SECTION 1. To provide for the employment of additional labor and other personal services as a measure of relief during the present emergency caused by unemployment, the sums set forth in section two, for the several purposes and subject to the conditions therein specified, are hereby appropriated from the general fund or revenue of the commonwealth unless some other source of revenue is expressed, subject to the provisions of law regulating the disbursement of public funds and the approval thereof. Appropriations for the employment of additional persons as a measure of relief during the present unemployment emergency.

SECTION 2.

Service of the Department of Public Works.

Item			
A	For removing the abandoned hulks or wrecks lying along the waterfront of East Boston and in Chelsea Creek, a sum not exceeding sixty-five thousand dollars .	$65,000	Department of Public Works.

Service of the State Reclamation Board.

B	For carrying out mosquito control projects in accordance with the provisions of chapter one hundred and twelve of the acts of nineteen hundred and thirty-one, a sum not exceeding one hundred thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose	100,000	State Reclamation Board.

Service of the Metropolitan District Commission.

The following item is to be assessed upon the several districts in accordance with the methods fixed by law, and to be expended under the direction and with the approval of the metropolitan district commission:

C	For cutting brush, clearing and other work in connection with the maintenance of park reservations, a sum not exceeding eighty thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose	80,000	Metropolitan District Commission.
		$245,000	

General Fund	$165,000
Metropolitan District Funds	80,000
	$245,000

Expense in removing any hulk or wreck under item A of section two to be a lien upon the premises, etc.

SECTION 3. Any expense incurred in removing any hulk or wreck under item A of section two shall be a lien upon the premises from which such hulk or wreck was removed, effective upon the filing in the proper registry of deeds of a claim thereof signed by the commissioner of public works or a person designated by him and setting forth the amount for which the lien is claimed; and the lien shall be enforced within the time and in the manner provided for the collection of taxes upon real estate.

Persons employed not subject to civil service laws, etc.

SECTION 4. Persons employed for work authorized hereunder, and persons employed by the metropolitan district commission for work similar to that authorized by item C of section two done prior to December first, nineteen hundred and thirty-one and to be paid for out of appropriations heretofore made and available for the purposes of said item, shall not be subject to civil service laws or to rules and regulations made thereunder.

Approved November 12, 1931.

Chap. 466 AN ACT MAKING APPROPRIATIONS FOR THE LEGISLATIVE EXPENSES AUTHORIZED AT THE EXTRA SESSION OF THE GENERAL COURT.

Be it enacted, etc., as follows:

Appropriations for the legislative expenses authorized at the extra session of the general court.

SECTION 1. To provide for certain expenditures authorized at the extra session of the general court, the sums set forth in section two, for the particular purposes and subject to the conditions stated therein, are hereby appropriated from the general fund or revenue of the commonwealth, for the fiscal year ending November 30, 1931, subject to the provisions of law regulating the disbursements of public funds and the approval thereof.

SECTION 2.

Service of the Legislative Department.

Legislative Department.

Item		
1	For additional compensation of senators for their services during the present extra session of the general court at the rate of four hundred dollars for each senator, except that the president shall receive eight hundred dollars, a sum not exceeding sixteen thousand four hundred dollars . .	$16,400 00
2	For compensation for travel of senators for the present extra session, a sum not exceeding fourteen hundred thirty-three dollars and twenty-five cents	1,433 25
3	For additional compensation of representatives for their services during the present extra session of the general court at the rate of four hundred dollars for each representative, except that the speaker shall receive eight hundred dollars, a sum not exceeding ninety-six thousand dollars .	96,000 00
4	For compensation for travel of representatives in connection with the present extra session, a sum not exceeding eighty-nine hundred fifty-one dollars and twenty-five cents	8,951 25
5	For compensation of the pages employed by the sergeant-at-arms for the present extra session, a sum not exceeding twenty-one hundred dollars .	2,100 00

Item			
6	For compensation of the sergeant-at-arms and other employees of his department for the present extra session, a sum not exceeding forty-three hundred and seventy-five dollars	Legislative Department. $4,375 00	
7	For compensation for travel of the sergeant-at-arms and other employees of his department for the present extra session, a sum not exceeding fourteen hundred forty-three dollars and seventy-five cents	1,443 75	
8	For additional compensation of the clerks and assistant clerks of the senate and house of representatives for their services during the present extra session, at the rate of four hundred dollars each, a sum not exceeding sixteen hundred dollars	1,600 00	
9	For additional compensation of the chaplains of the senate and house of representatives for their services during the present extra session, at the rate of one hundred and twenty-five dollars each, a sum not exceeding two hundred and fifty dollars	250 00	
10	For additional clerical assistance in the office of the clerk of the senate during the present extra session, a sum not exceeding three hundred dollars	300 00	
11	For additional clerical assistance in the office of the clerk of the house of representatives during the present extra session, a sum not exceeding three hundred dollars	300 00	
12	For personal services of the secretary to the counsel to the senate during the present extra session, a sum not exceeding two hundred and fifty dollars	250 00	
13	For personal services of assistants in the office of the counsel to the house of representatives during the present extra session, a sum not exceeding six hundred and fifty dollars	650 00	
14	For personal services of assistants to the president of the senate and the speaker of the house of representatives during the present extra session, a sum not exceeding five hundred dollars	500 00	
15	For personal services of other employees of the committee on rules during the present extra session, a sum not exceeding four hundred dollars	400 00	
16	For expenses of stenographic services during the present extra session in connection with the hearings before the joint committees on the judiciary and insurance, the sum of nine hundred seventy-three dollars and twenty-five cents	973 25	
17	For printing, binding and paper required for the present extra session, with the approval of the clerks of the respective branches, a sum not exceeding fifteen hundred dollars	1,500 00	
18	For certain contingent expenses of the senate and house of representatives during the present extra session, a sum not exceeding seventeen hundred dollars	1,700 00	
	Service of the Committee on Public Welfare.		
19	For traveling expenses of the committee on public welfare during the balance of the current fiscal year and during the month of December, a sum not exceeding fifteen hundred dollars	Committee on Public Welfare. 1,500 00	
	Total		$140,626 50

SECTION 3. This act shall take effect upon its passage.

Approved November 12, 1931.

RESOLVE, EXTRA SESSION, 1931.

Chap. 68 RESOLVE PROVIDING FOR THE INCLUSION IN THE NEW TERCENTENARY EDITION OF THE GENERAL LAWS OF GENERAL LEGISLATION ENACTED AT THE CURRENT EXTRA SESSION OF THE GENERAL COURT.

Inclusion in new tercentenary edition of General Laws of general legislation enacted at the current extra session of the general court.

Resolved, That the counsel to the senate and the counsel to the house of representatives be hereby directed to include in the new tercentenary edition of the General Laws general legislation enacted at the current extra session.

Approved November 12, 1931.

NOTE.

The general court of 1931 during its extra session passed four Acts and one Resolve, which received executive approval.

The general court was prorogued on Thursday, November 12, 1931, at forty-six minutes past ten o'clock P.M., the session having occupied 46 days.

The Commonwealth of Massachusetts

OFFICE OF THE SECRETARY, BOSTON, November 21, 1931.

I certify that the acts and resolves contained in this volume are true copies of the originals on file in this department.

I further certify that the table of changes in general laws has been prepared, and is printed as an appendix to this edition of the laws, by direction of the Joint Committee on Rules of the General Court, in accordance with the provisions of section 51, chapter 3 of the General Laws, as amended by chapter 197, Acts of 1922.

FREDERIC W. COOK,
Secretary of the Commonwealth.

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